

Scott County Board of Supervisors
January 4, 2016 8:00 a.m.

The Board of Supervisors met pursuant to adjournment with Holst, Sunderbruch, Earnhardt, Kinzer and Hancock present. Treasurer William Fennelly presided as temporary chair. The Board recited the pledge of allegiance.

Fennelly requested nominations for Chair of the Board of Supervisors. Sunderbruch moved and Earnhardt seconded a motion nominating Jim Hancock to serve as Chair. Kinzer moved and Holst seconded a motion nominating Diane Holst to serve as Chair. Roll Call: Sunderbruch, Earnhardt and Hancock voted Aye on the Hancock nomination. Holst and Kinzer voted Nay.

Fennelly requested nominations for Vice-Chair of the Board of Supervisors. Hancock moved and Sunderbruch seconded a motion nominating Carol Earnhardt as Vice-Chair. Kinzer moved and Holst seconded a motion nominating Diane Holst to serve as Vice-Chair. Roll Call: Sunderbruch, Earnhardt and Hancock voted Aye on the Earnhardt nomination. Holst and Kinzer voted Nay.

Following his election, Supervisor Hancock presided as permanent Chair.

Moved by Earnhardt, seconded by Kinzer approval of the following committee chair appointments. All Ayes.

Facilities and Economic Development – Supervisor Earnhardt
Human Resources – Supervisor Kinzer
Finance & Intergovernmental – Supervisor Sunderbruch
Health & Community Services – Supervisor Holst

Moved by Earnhardt, seconded by Sunderbruch that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) That the following appointments for a term beginning January 4, 2016 and ending December 31, 2016 are hereby approved:

Bi-State Regional Commission	Supervisor Sunderbruch Supervisor Earnhardt Supervisor Holst
City/School/County	Supervisor Sunderbruch County Administrator
Emergency Management Commission	Supervisor Holst
MH/DS Governing Board of Directors	Supervisor Earnhardt
Region 9 Transportation Policy	Supervisor Holst
RIA Development Group	Supervisor Sunderbruch
Scott County REAP	Supervisor Kinzer
Scott County Watershed Cabinet	Supervisor Kinzer

Seventh Judicial District
Court Services Board
Urban County Coalition

Supervisor Earnhardt

Urban Transportation Policy
Waste Management Commission of
Scott County
Workforce Development/
Region 9 Elected Official Board

Supervisor Earnhardt
Supervisor Hancock
Supervisor Holst
Supervisor Sunderbruch
Supervisor Hancock
Supervisor Kinzer

2) This resolution shall take effect immediately.

Moved by Kinzer, seconded by Holst that the following resolution be approved.
All Ayes.

BE IT RESOLVED: 1) That the North Scott Press and the Quad City Times are hereby appointed as Scott County official newspapers for a one year period ending on December 31, 2016 subject to meeting all requirements as stated in the Iowa Code. 2) That the newspapers do not charge more than what is set by the Iowa Department of Administrative Services in accordance with Section 618.11 of the Code of Iowa. 3) This resolution shall take effect immediately.

Moved by Earnhardt, seconded by Holst at 8:23 a.m. a motion to adjourn. All Ayes.

Jim Hancock, Chair of the Board
Scott County Board of Supervisors

ATTEST: Roxanna Moritz
Scott County Auditor

Scott County Board of Supervisors
January 12, 2016 8:00 a.m.

The Board of Supervisors met as a committee of the whole and pursuant to adjournment with Sunderbruch, Holst, Hancock, Earnhardt and Kinzer present.

Moved by Earnhardt, seconded by Kinzer at 9:21 a.m. a motion to adjourn. All Ayes.

Jim Hancock, Chair of the Board
Scott County Board of Supervisors

ATTEST: Roxanna Moritz
Scott County Auditor

Scott County Board of Supervisors
January 14, 2016 5:00 p.m.

The Board of Supervisors met pursuant to adjournment with Sunderbruch, Holst, Hancock, Earnhardt and Kinzer present. The Board recited the pledge of allegiance.

Moved by Sunderbruch, seconded by Earnhardt approval of the minutes of the December 29, 2015 Regular Board Meeting, the minutes of the January 4, 2016 Organizational Meeting and the minutes of the January 12, 2016 Committee of the Whole Meeting. All Ayes.

Moved by Earnhardt, seconded by Sunderbruch that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) That the Board of Supervisors wants to offer their sincere appreciation to Allan Kluever for his many years of dedicated service to Scott County on the Planning and Zoning Commission. 2) That the Board of Supervisors extends their best wishes to Allan and wishes him well in future endeavors. 3) This resolution shall take effect immediately.

Moved by Earnhardt, seconded by Sunderbruch that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) That the Board of Supervisors wants to offer their sincere appreciation to Gary Mehrens for his many years of dedicated service to Scott County on the Planning and Zoning Commission. 2) That the Board of Supervisors extends their best wishes to Gary and wishes him well in future endeavors. 3) This resolution shall take effect immediately.

Moved by Earnhardt, seconded by Holst approval of the final of two readings of an ordinance to rezone 8.45 acres more or less from Agricultural General (A-G) to Commercial-Light Industrial (C-2) on property described as Tract A which is the north 280 feet of Parcel #932839003 located in Part of the NE $\frac{1}{4}$ SE $\frac{1}{4}$ & Part of SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 28 Sheridan Township. Roll Call: All Ayes.

AN ORDINANCE TO AMEND THE ZONING MAP BY REZONING APPROXIMATELY 8.45 ACRES IN SECTION 28, SHERIDAN TOWNSHIP FROM AGRICULTURAL-GENERAL (A-G) TO COMMERCIAL-LIGHT INDUSTRIAL (C-2) , ALL WITHIN UNINCORPORATED SCOTT COUNTY.

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

1) In accordance with Section 6-31 Scott County Code, the following described unit of real estate is hereby rezoned from Agricultural-General (A-G), to Commercial and Light Industrial (C-2) to-wit: Part of the Northeast & the Southeast Quarters of Section 28,

Township 79 North, Range 3 East of the 5th Principal Meridian, more particularly described as follows:

Commencing at the Southeast corner of the Southeast Quarter of said Section 28; thence, along the South line of the Southeast Quarter, South 88 degrees 35 minutes 35 seconds West, a distance of 1325.33 feet to the West line of the Southeast Quarter of said Southeast Quarter; thence, along said West line, North 02 degrees 50 minutes 17 seconds West, a distance of 1323.87 feet to the Northwest corner of said quarter-quarter section; thence North 02 degrees 00 minutes 32 seconds West, along the West line of the Northeast Quarter of said Southeast Quarter, a distance of 1333.98 feet to the Point of Beginning; thence, continuing along said West line, North 02 degrees 00 minutes 32 seconds West, a distance of 10.39 feet to the North line of said Southeast Quarter; thence, along the West line of the East half of said Northeast Quarter, North 01 degrees 54 minutes 55 seconds West, to the centerline of Slopertown Road, a distance of 278.27 feet; thence, along said centerline, South 80 degrees 32 minutes 48 seconds East, to the west right of way line of the railroad right of way as extended northerly, a distance of 1313.20 feet; thence, along said west line of aforesaid Parcel, South 02 degrees 09 minutes 24 seconds East, a distance of 251.48 feet; thence, continuing along said west railroad right of way line, South 87 degrees 50 minutes 36 seconds West, a distance of 20.00 feet; thence continuing along said west railroad right of way line, South 02 degrees 09 minutes 24 seconds East, a distance of 33.32 feet; thence, North 80 degrees 32 minutes 48 seconds West, along a line which is 283.00 feet southerly of and parallel with the centerline of Slopertown Road, a distance of 1294.02 feet to the Point of Beginning. The above described Tract contains a gross area of 8.45 acres; less the roadway easement containing 1.00 acre, for a net total area of 7.45 acres, more or less. 2) This ordinance changing the above described land to Commercial Light Industrial (C-2) is approved as recommended by the Planning and Zoning Commission. 3) The County Auditor is directed to record this ordinance in the County Recorder's Office. 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. 5) Repealer. All ordinances or part of ordinances in conflict with the provisions of the Ordinance are hereby repealed. 6) Effective Date. This Ordinance shall be in full force and effect after its final passage and publication as by law provided.

Moved by Earnhardt, seconded by Holst that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) That the bids received for the CCTV project are hereby approved and awarded to Stanley Security in the amount of \$73,120.00. 2) That the bid for the five year maintenance contract in the total amount of \$9,000.00 is hereby approved. 3) This resolution shall take effect immediately.

Moved by Earnhardt, seconded by Sunderbruch that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) That the bids received for structured telecommunications cabling for the Courthouse Phase Three and Four Project is hereby approved and awarded to Communications Innovators in the amount of \$43,832.00. 2) This resolution shall take effect immediately.

Moved by Kinzer, seconded by Earnhardt that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) The hiring of Nathan Repp for the position of Attorney I for the Attorney's office at a starting salary of \$65,000/year (93% of midpoint) is hereby approved. 2) This resolution shall take effect upon hire.

Moved by Kinzer, seconded by Earnhardt a motion approving a payment of \$7,500.00 to County Administrator Dee Bruemmer's deferred compensation plan. All Ayes.

Moved by Kinzer, seconded by Sunderbruch that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) That the County engages the professional services of Waters and Company in the amount of \$22,500.00 to assist in the search of a County Administrator. 2) This resolution shall take effect immediately.

Moved by Sunderbruch, seconded by Kinzer that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) The assessment of election costs to school districts and municipalities as detailed in the County Auditor's Office is hereby approved for the following elections and total amounts: ELECTION; AMOUNT, School Board Election: Davenport: \$23,714.20, Bettendorf; \$2,368.81, North Scott; \$2,669.79, Pleasant Valley; \$1,503.80, Eastern IA Comm. College; \$12,354.21, SCHOOL BOARD TOTAL: \$42,610.81, Municipal Election: Bettendorf City; \$14,790.04, Blue Grass City; \$3,044.28, Buffalo City; \$2,660.99, Davenport City Primary; \$43,540.51, Davenport City Municipal; \$41,689.08, Dixon City; \$1,201.86, Donahue City; \$982.23, Eldridge City; \$2,038.80, LeClaire City; \$4,122.85, Long Grove City; \$1,551.87, Panorama Park City; \$501.64, Princeton City; \$1,697.10, Riverdale City; \$2,685.44, Maysville City; \$555.41, McCausland City; \$1,186.76, New Liberty City; \$290.18, Walcott City; \$1,089.24, MUNICIPAL TOTAL: \$123,628.28, GRAND TOTAL: \$166,239.09. 2) This resolution shall take effect immediately.

Moved by Sunderbruch, seconded by Holst that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) That the appointment of Bernie Peeters, Eldridge, to the River Bend Transit Board for a one (1) year term expiring on December 31, 2016 is hereby approved. 2) This resolution shall take effect immediately.

Moved by Sunderbruch, seconded by Kinzer a motion approving beer/liquor license renewals for Mt. Joy Amoco and Kwik Shop #589. All Ayes.

Moved by Sunderbruch, seconded by Earnhardt that the following resolution be approved. Roll Call: All Ayes except that Supervisor Holst voted nay to warrant #273978 (RSM US LLP-McGladrey & Pullen; Professional, Scientific and Technical Services in the amount of \$488.00).

BE IT RESOLVED: 1) The Scott County Board of Supervisors approves for payment all warrants numbered 273806 through 274029 as submitted and prepared for payment by the County Auditor, in the total amount of \$1,505,126.64. 2) This resolution shall take effect immediately.

Moved by Earnhardt, seconded by Kinzer a motion to adjourn. All Ayes.

Jim Hancock, Chair of the Board
Scott County Board of Supervisors

ATTEST: Roxanna Moritz
Scott County Auditor

Scott County Board of Supervisors
January 26, 2016 8:00 a.m.

The Board of Supervisors met as a committee of the whole and pursuant to adjournment with Holst, Hancock, Earnhardt, Kinzer and Sunderbruch present.

Moved by Earnhardt, seconded by Kinzer at 8:45 a.m. a motion to adjourn. All Ayes.

Jim Hancock, Chair of the Board
Scott County Board of Supervisors

ATTEST: Roxanna Moritz
Scott County Auditor

Scott County Board of Supervisors
January 28, 2016 5:00 p.m.

The Board of Supervisors met pursuant to adjournment with Holst, Hancock, Earnhardt, Kinzer and Sunderbruch present. The Board recited the pledge of allegiance.

Moved by Sunderbruch, seconded by Earnhardt approval of the minutes of the January 14, 2016 Regular Board Meeting and the minutes of the January 26, 2016 Committee of the Whole Meeting. All Ayes.

Moved by Kinzer, seconded by Earnhardt that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) That the Board of Supervisors does hereby proclaim February 3, 2016 as Iowa Puppy Mill Awareness Day in Scott County. 2) That the Board of Supervisors encourages its citizens to support efforts to promote responsible dog breeding. 3) This resolution shall take effect immediately.

County Administrator Dee Bruemmer presented the FY17 recommended budget.

Moved by Earnhardt, seconded by Kinzer that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) In compliance with Chapter 317.3 of the Iowa Code, the Scott County Weed Commissioner shall be the responsibility of the Scott County Engineer effective immediately. 2) This resolution will certify to the Scott County Auditor and the Secretary of Agriculture that the Scott County Weed Commissioner is the Scott County Engineer. 3) That this resolution shall take effect immediately.

Moved by Earnhardt, seconded by Kinzer that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) The Code of Iowa Section 306.41, provides for the temporary closure of County Secondary Roads for various reasons and purposes and that the County Engineer be authorized to close Scott County Secondary Roads during the 2016 calendar year, as necessary, with the actual dates and times of closure to be determined by the County Engineer as follows: For Construction: Any project as described in the approved "Scott County Secondary Roads Construction and Farm-to-Market Construction Program" and any supplements thereto. For Maintenance: Any maintenance project or activity requiring the road to be closed. For Emergencies: For any emergency road closure of any route as deemed necessary by the County Engineer. 2) That the County Engineer be authorized to post a reduced speed limit in work zones to ensure the safety of the workers and county employees within the work zones. 3) That this resolution shall take effect immediately.

Moved by Earnhardt, seconded by Holst that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) WHEREAS: The uniform treatment of landowners in right-of-way is of paramount importance, and WHEREAS: Assurance must be given to the Iowa Department of Transportation that Scott County is in compliance with the provisions of the 1970 Uniform Relocation Assistance and Land Acquisition Policies Act, NOW, THEREFORE BE IT RESOLVED by the Scott County Board of Supervisors on this twenty-eighth day of January, 2016, that the Scott County Engineer is authorized to purchase the necessary right-of-way for construction and maintenance during the calendar year 2016, using the values computed in accord with the following schedule of allowances: SCHEDULE I - AGRICULTURAL LAND: For land by easement or deed: 4.72 times the assessed valuation per acre as it currently exists at the time an offer is made. SECTION II - RESIDENTIAL, COMMERCIAL OR INDUSTRIAL LAND: For land by easement or deed, where such land is classified by the assessor as residential, commercial or industrial for zoning purposes - generally the appraisal method will be used. SECTION III - FEDERALLY FUNDED PROJECTS, FARM-TO-MARKET FUNDED PROJECTS, AND SPECIAL PURCHASES - APPRAISAL METHOD: This section will only be utilized when the following conditions are determined to exist: 1. Where any buildings or special improvements or appurtenances exist on the parcel being taken. 2. Where there are definable damages to the remaining property. 3. Where federal funds or farm-to-market funds are involved requiring the complete appraisal method. 4. Where the parcel being taken is not representative of the total piece. 5. For properties as noted under Section II. The County Engineer will seek two or more quotes for the service of an appraiser for the review by the Board of Supervisors prior to employment of an appraiser. The appraisal document will serve as the basis for purchase of the parcel. SECTION IV - BORROW: For land disturbed by reason of borrow or backslope: The value shall be based on the price per cubic yard of material taken - (\$0.30/cu.yd.). Agreement will also be made for the restoration of the area disturbed for borrow or backslope, either by removing and replacing 8 inches of top soil or by other appropriate measures, in accordance with Section 314.12, 1995 Code of Iowa. Compensation for crop loss or other land use loss in borrow or backslope areas will be determined based on the rental value for similar land in the area. If crops have been planted, payment will be made to cover tillage cost, seed cost and fertilizer cost based on the pro-rated actual cost incurred. If the crop is harvested before the area is disturbed there will be no compensation for crop loss. SECTION V - WATER LINES: For existing privately owned water lines crossing the roadway: The total cost of any alterations required on the line within the new or existing right-of-way will be at the expense of the County. SECTION VI - FENCES: For the relocation of functional fences made necessary by the reconstruction of an existing roadway, a new fence will be allowed for all of the same type as the existing right-of-way fence. Allowances are \$25.00 per rod for woven wire, \$16.00 per rod for barbed wire. If no fence exists, no fence payment will be allowed. The length for payment will be the footage required to fence the new right-of-way. For relocating cross fences to the new right-of-way, the length of fence required to be moved shall be compensated at the rate for the same type of right-of-way fence above. For angle points introduced into the fence line by the

design of the roadway, an allowance of \$166.00 for a two-post panel and \$260.00 for a three-post panel will be made. NOTE: All salvage from the existing fence shall become the property of the property owner. Payment for fencing will be withheld until all existing fence has been removed and cleared from the right-of-way. If the fence or any part thereof is not removed at the time of construction, it will be removed by Scott County or its contractor and a penalty of \$3.00 per rod assessed and deducted from the fence payment. For the removal of non-functional fences made necessary for the reconstruction of an existing roadway, the County will compensate the owner for his labor and equipment at the following rates: Woven Wire - \$10.00 per rod, Barbed Wire - \$ 8.00 per rod, NOTE: All salvage from existing fence shall become the property of the owner. Payment for removal of non-functional fences will be withheld until all existing fences has been removed and cleared from the right-of-way. If fence or any part thereof is not removed at time of construction, it will be removed by Scott County or its contractor and the owner will forfeit any payment tendered for the fence. DEFINITIONS: Functional: In good state of repair and capable of containing livestock for which the fence was constructed. Non-functional: In disrepair and incapable of containing the livestock for which the fence was constructed. Compensation for relocating fences of a type other than those described shall be negotiated. SECTION VII - TREES AND SHRUBS: For trees and ornamental shrubs which must be removed from the residence areas: compensation will be made on basis of appraisal by an arborist or by negotiation. SECTION VIII - INCIDENTAL EXPENSES: A lump sum of \$50.00 which shall compensate the owner for any out-of-pocket expense incurred as a result of this transaction; i.e., abstracting fees, postage, telephone, etc. SECTION IX - EASEMENT PRIORITY AGREEMENTS: Scott County will pay all costs assessed by mortgage holders in executing "Easement Priority Agreements" for the easements obtained under the terms of this policy. SECTION X: PASSED AND APPROVED this twenty-eighth day of January, 2016, by the Scott County Board of Supervisors. SECTION XI: This resolution shall take effect immediately.

Moved by Earnhardt, seconded by Holst that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) Iowa Code section 459.304(3) (2007) sets out the procedure for a county board of supervisors to adopt a "construction evaluation resolution" relating to the construction of a confinement feeding operation structure. 2) Only counties that have adopted a construction evaluation resolution can submit to the Department of Natural Resources (DNR) a recommendation to approve or disapprove a construction permit application for a confinement feeding operation structure. 3) Only counties that have adopted a construction evaluation resolution and submitted a recommendation will be notified by the DNR of the DNR's decision on the permit application. 4) Only counties that have adopted a construction evaluation resolution and submitted a recommendation may appeal the DNR's decision regarding a specific application. 5) By adopting a construction evaluation resolution the Board of Supervisors agrees to evaluate every construction permit application for a proposed confinement feeding operation structure received by the Board of Supervisors between February 1, 2016 and January 31, 2017 and submit a recommendation regarding that application to the DNR. 6) By adopting a construction evaluation resolution the Board of Supervisors shall

conduct an evaluation of every construction permit application using the master matrix as provided in Iowa Code Section 459.305. However, the board's recommendation to the DNR may be based on the final score on the master matrix or on other reasons as determined by the board of supervisors. 7) The Scott County Board of Supervisors hereby adopts this Construction Evaluation Resolution in accordance with Iowa Code section 459.304(3) and designates the Scott County Planning and Development Department to receive such applications on behalf of the Board of Supervisors. 8) This resolution shall take effect immediately.

Moved by Kinzer, seconded by Earnhardt that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) The hiring of Timothy Nawa for the position of Truck Driver/Laborer in the Secondary Roads Department at the entry level rate. 2) The hiring of Adam Goodall for the position of Truck Driver/Laborer in the Secondary Roads Department at the entry level rate.

Moved by Kinzer, seconded by Earnhardt that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) That Human Resources Policy G "Employee Conduct" updates the policy by adding language on ethics and proper purchases. 2) That General Policy 11 "Purchasing" updates the policy by adding language on ethics of purchasing. 3) That General Policy 26 "Purchasing Card" updates the policy by adding language on ethics of purchasing. 4) That General Policy 21 "Posting of Material" updates the policy to provide clearer direction on use of the employee bulletin board and outside requests for links from webpage. 5) That General Policy 1 "Boards of Supervisors' Appointments" updates the Board's lists of appointments. 6) This resolution shall take effect immediately.

Moved by Kinzer, seconded by Holst that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) That the terms of the agreement reached between representatives of Scott County and the Chauffeurs, Teamsters and Helper's Local Union No. 238 is hereby approved. That the agreement shall be in effect July 1, 2016 through June 30, 2019. 2) This resolution shall take effect immediately.

Moved by Holst, seconded by Earnhardt that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) The 2014 property taxes due in March 2016 for Brent Colvin, 3622 May Lane, Davenport, Iowa in the amount of \$433.00 including interest and a special assessment in the amount of \$113.40 are hereby suspended. 2) The County Treasurer is hereby directed to suspend the collection of the above stated taxes thereby establishing a lien on said property as required by law with future collection to include statutory interest, if any. 3) This resolution shall take effect immediately.

Moved by Sunderbruch, seconded by Earnhardt that the following resolution be approved. Supervisor Holst stated that she disagreed with the national funding source for the following resolution. Four Ayes with Holst voting Nay.

BE IT RESOLVED: 1) That the Board hereby approves a grant in the amount of \$138,000.00 from the Iowa Department of Homeland Security & Emergency Management. 2) That the Board approves receipt of such funding. 3) That the Sheriff is approved to sign such application. 4) This resolution shall take effect immediately.

Moved by Sunderbruch, seconded by Kinzer that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) A public hearing date on an amendment to the County's current FY16 Budget is set for Thursday, February 11, 2016 at 5:00 p.m. 2) The County Auditor is hereby directed to publish notice of said amendment as required by law. 3) This resolution shall take effect immediately.

Moved by Sunderbruch, seconded by Holst that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) All County departmental FY17 budget requests and all authorized agency FY17 funding requests are hereby authorized for filing and publication as the budget estimate for FY17. 2) The Board of Supervisors hereby fixes the time and place for a public hearing on said budget estimate for Thursday, February 11, 2016 at 5:00 p.m. in the Board Room at the Scott County Administrative Center. 3) The Scott County Auditor is hereby directed to publish the notice and estimate summary as required by law. 4) This resolution shall take effect immediately.

Moved by Sunderbruch, seconded by Earnhardt that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) That the following appointments to the Scott County Condemnation Appraisal Jury for one (1) year terms expiring on December 31, 2016 are hereby approved: BANKERS by Earnhardt, Susan Zude and Trish Townsend; by Hancock, David Nauman and Peter McAndrews; by Holst, Julie Smith and Joe Slavens; by Kinzer, Tom Messer and Kristal Schaefer; by Sunderbruch, Victor J. Quinn and Susan Daley: CITY PROPERTY OWNERS by Earnhardt, Kenny Guy and Marge Stratton; by Hancock, Greg Kautz and Mary Kellenberger; by Holst, Elizabeth Hodges and Jesse Anderson; by Kinzer, Sandra Frericks and Mark Ross; by Sunderbruch, Oscar Hawley and Ben Niedert: FARMERS by Earnhardt, Kenneth Tank and Jennifer Ewoldt; by Hancock, John Maxwell; by Holst, Keith Steward and Bart VandeWalle; by Kinzer, Mary Frick and Jerry Mohr; by Sunderbruch, Joni Dittmer and Carrie Keppy: REAL ESTATE by Earnhardt, Lesa Buck and Jeff Heuer; by Hancock, Paula Ruefer and Lisa Carstens; by Holst, Mary Dircks and Lynsey Engels; by Kinzer, Lana Wulf and Thad DenHartog; by Sunderbruch, Rick Schaefer and Natalie Glynn. 2) This resolution shall take effect immediately.

Moved by Sunderbruch, seconded by Kinzer a motion approving a beer/liquor license renewal for Express Lane Gas & Food Mart #79. All Ayes.

Moved by Sunderbruch, seconded by Holst that the following resolution be approved. Roll Call: All Ayes.

BE IT RESOLVED: 1) The Scott County Board of Supervisors approves for payment all warrants numbered 274042 through 274295 as submitted and prepared for payment by the County Auditor, in the total amount of \$1,065,952.09. 2) The Board of Supervisors approves for payment to Wells Fargo Bank all purchase card program transactions as submitted to the County Auditor for review in the amount of \$57,426.33. 3) This resolution shall take effect immediately.

Moved by Earnhardt, seconded by Kinzer a motion to adjourn. All Ayes.

Jim Hancock, Chair of the Board
Scott County Board of Supervisors

ATTEST: Roxanna Moritz
Scott County Auditor

Scott County Board of Supervisors
February 9, 2016 8:00 a.m.

The Board of Supervisors met as a committee of the whole and pursuant to adjournment with Hancock, Earnhardt, Kinzer, Sunderbruch and Holst present.

Moved by Earnhardt, seconded by Kinzer at 9:15 a.m. a motion to adjourn. All Ayes.

Jim Hancock, Chair of the Board
Scott County Board of Supervisors

ATTEST: Roxanna Moritz
Scott County Auditor

Scott County Board of Supervisors
February 11, 2016 5:00 p.m.

The Board of Supervisors met pursuant to adjournment with Hancock, Earnhardt, Kinzer, Sunderbruch and Holst present. The Board recited the pledge of allegiance.

Moved by Sunderbruch, seconded by Earnhardt approval of the minutes of the January 28, 2016 Regular Board Meeting and the minutes of the February 9, 2016 Committee of the Whole Meeting. All Ayes.

Moved by Sunderbruch, seconded by Kinzer a motion to open a public hearing relative to an amendment to the Scott County FY16 Budget. All Ayes.

David Farmer, Budget Manager, discussed FY16 amendment amounts with the Board.

Moved by Sunderbruch, seconded by Earnhardt a motion to close the public hearing. All Ayes.

Moved by Sunderbruch, seconded by Holst a motion to open a public hearing relative to the Scott County FY17 Budget and the five year capital improvement plan. All Ayes.

Dee Bruemmer, County Administrator, and David Farmer, Budget Manager, presented the Board with highlights of the FY17 Budget.

Moved by Sunderbruch, seconded by Earnhardt a motion to close the public hearing. All Ayes.

Moved by Kinzer, seconded by Holst that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) The hiring of Carri Blockyou for the position of Clerk II in the Conservation Department at the entry level rate. 2) The hiring of Alan Sabat for the position of Planning & Development Specialist in the Planning & Development Department at the entry level rate.

Moved by Sunderbruch, seconded by Kinzer that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) That the Iowa Governor's Traffic Safety Bureau Grant Request is hereby approved as presented in the amount of \$54,600.00. 2) This resolution shall take effect immediately.

Moved by Sunderbruch, seconded by Earnhardt that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) Iowa Code Section 445.63 states that when taxes are owing against a parcel owned or claimed by the state or a political subdivision of this state and the taxes are owing before the parcel was acquired by the state or a political subdivision of this state, the County Treasurer shall give notice to the appropriate governing body which shall pay the amount of the taxes due. If the governing body fails to immediately pay the taxes due, the Board of Supervisors shall abate all of the taxes. 2) The City of Davenport has requested the abatement of the following taxes for parcel numbers: Parcel; Tax Year; Amount, L0008-19; 2014; \$3,126.00. 3) The County Treasurer is hereby directed to strike the amount of property taxes due on City of Davenport above listed parcels in accordance with Iowa Code Section 445.63. 4) This resolution shall take effect immediately.

Moved by Sunderbruch, seconded by Holst that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) That the appointment of Tom Claussen, Long Grove, Iowa, to the Benefited Fire District #2 for a three (3) year term expiring on March 10, 2019 is hereby approved. 2) This resolution shall take effect immediately.

Moved by Sunderbruch, seconded by Kinzer a motion approving a beer/liquor license renewal for Donahue American Legion. All Ayes.

Moved by Sunderbruch, seconded by Earnhardt that the following resolution be approved. Roll Call: All Ayes.

BE IT RESOLVED: 1) The Scott County Board of Supervisors approves for payment all warrants numbered 274314 through 274568 as submitted and prepared for payment by the County Auditor, in the total amount of \$980,705.97. 2) This resolution shall take effect immediately.

Lisa Wischler, Department of Human Services employee, addressed the Board with her concerns and issue with the County Campus Parking Policy.

Moved by Earnhardt, seconded by Kinzer a motion to adjourn. All Ayes.

Jim Hancock, Chair of the Board
Scott County Board of Supervisors

ATTEST: Roxanna Moritz
Scott County Auditor

Scott County Board of Supervisors
February 23, 2015 8:00 a.m.

The Board of Supervisors met pursuant to adjournment with Earnhardt, Kinzer, Sunderbruch, Holst and Hancock present.

This special meeting was called for the purpose of canvassing the votes cast at the February 16, 2016 Davenport School District Vacancy Special Election.

Moved by Kinzer, seconded by Holst a motion to certify the results of said election. All Ayes.

Moved by Earnhardt, seconded by Holst at 8:04 a.m. a motion to adjourn the special meeting. All Ayes.

Jim Hancock, Chair of the Board
Scott County Board of Supervisors

ATTEST: Roxanna Moritz
Scott County Auditor

Scott County Board of Supervisors
February 23, 2016 8:05 a.m.

The Board of Supervisors met as a committee of the whole and pursuant to adjournment with Earnhardt, Kinzer, Sunderbruch, Holst and Hancock present.

Moved by Earnhardt, seconded by Kinzer at 9:20 a.m. a motion to adjourn. All Ayes.

Jim Hancock, Chair of the Board
Scott County Board of Supervisors

ATTEST: Roxanna Moritz
Scott County Auditor

The Board of Supervisors met pursuant to adjournment with Earnhardt, Kinzer, Sunderbruch, Holst and Hancock present. The Board recited the pledge of allegiance.

Moved by Sunderbruch, seconded by Earnhardt approval of the minutes of the February 11, 2016 Regular Board Meeting, the minutes of the February 23, 2016 Special Board Meeting (Election Canvass) and the minutes of the February 23, 2016 Committee of the Whole Meeting. All Ayes.

Moved by Earnhardt, seconded by Kinzer a motion to open a public hearing relative to the approval of plans and specifications for the Patrol Project. All Ayes.

No one from the public spoke.

Moved by Earnhardt, seconded by Kinzer a motion to close the public hearing. All Ayes.

Moved by Earnhardt, seconded by Kinzer that the following resolution be approved. Supervisor Holst moved to postpone action on the resolution due to the County's lack of a motor pool policy. The motion failed for lack of a second. Vote on the main motion: Four Ayes with Holst voting Nay.

BE IT RESOLVED: 1) That the plans and specifications as prepared by Wold Architects and Engineers, architects for the Sheriff Patrol Headquarters Project are hereby approved. 2) This resolution shall take effect immediately.

Moved by Kinzer, seconded by Earnhardt that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) The hiring of Heather Whittaker for the position of Parts & Inventory Clerk in the Secondary Roads Department at the entry level rate.

Moved by Kinzer, seconded by Holst that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) That the terms of the agreement reached between representatives of Scott County and the Deputy Sheriff's Association is hereby approved. That the agreement shall be in effect July 1, 2016 through June 30, 2019. 2) That the terms of the agreement reached between representatives of Scott County and the American Federation Of State, County And Municipal Employees, Local 606 is hereby approved. That the agreement shall be in effect July 1, 2016 through June 30, 2017. 3) This resolution shall take effect immediately.

Moved by Kinzer, seconded by Earnhardt that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) That it (the Board) hereby determines that otherwise qualified applicants for the position of County Administrator would be discouraged from making application for the position if their application is available for general public examination. 2) That the applications for County Administrator be and the same are hereby ordered to remain confidential pursuant to the authority granted by Section 22.7 of the Iowa Code. 3) This resolution shall take effect immediately.

Moved by Kinzer, seconded by Holst that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) In the Secondary Roads Department and Administration Department the position of Fleet Manager (1.0 FTE) shall hereby be created at 417 Hay points. 2) This resolution shall take effect immediately.

Moved by Sunderbruch, seconded by Earnhardt that the following resolution be approved. Roll Call: All Ayes.

BE IT RESOLVED: 1) A budget amendment to the current FY16 County Budget as presented by the County Administrator is hereby approved as follows:

SERVICE AREA	FY16 AMENDMENT AMOUNT
Public Safety and Legal Services	(\$266,016)
Physical Health and Social Services	\$322,345
Mental Health, ID & DD	(\$202,693)
County Environment and Education	\$26,460
Roads and Transportation	\$1,699,896
Government Services to Residents	\$11,610
Administration	(\$111,064)
Nonprogram Current	\$270,000
Debt Service	\$216,844
Capital Projects	\$1,786,354
Operating Transfers Out	\$2,694,000

2) This resolution shall take effect immediately.

Moved by Sunderbruch, seconded by Earnhardt that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) Iowa Code Chapter 445.16 states that if the County Treasurer makes a recommendation to the Board of Supervisors to abate taxes, the collection of which is determined to be impractical, the Board of Supervisors shall abate the tax interest and costs. 2) The County Treasurer is hereby directed to strike the balance of the following Parcel. Parcel; Deed Owner Contract Buyer; Tax Year; Interest, 840217003-R; Mary J. Boeh Rev Trust; 2013-2014; \$201.00. 3) This resolution shall take effect immediately.

Moved by Sunderbruch, seconded by Holst a motion approving a beer/liquor license renewal for Casey's General Store #1068. All Ayes.

Moved by Sunderbruch, seconded by Earnhardt that the following resolution be approved. Roll Call: All Ayes.

BE IT RESOLVED: 1) The Scott County Board of Supervisors approves for payment all warrants numbered 274583 through 274834 as submitted and prepared for payment by the County Auditor, in the total amount of \$1,637,588.50. 2) The Board of Supervisors approves for payment to Wells Fargo Bank all purchase card program transactions as submitted to the County Auditor for review in the amount of \$76,229.77. 3) This resolution shall take effect immediately.

Moved by Earnhardt, seconded by Kinzer a motion to adjourn. All Ayes.

Jim Hancock, Chair of the Board
Scott County Board of Supervisors

ATTEST: Roxanna Moritz
Scott County Auditor

Scott County Board of Supervisors
March 8, 2016 8:00 a.m.

The Board of Supervisors met as a committee of the whole and pursuant to adjournment with Kinzer, Sunderbruch, Holst, Hancock and Earnhardt present.

Julie Sundholm, 797 Sycamore Drive, LeClaire, manager of Tanglewood Hills Pavilion, spoke to the Board in opposition of the Scott County Conservation Department plan for a taxpayer funded lodge in Scott County Park.

Moved by Earnhardt, seconded by Kinzer at 9:12 a.m. a motion to adjourn. All Ayes.

Jim Hancock, Chair of the Board
Scott County Board of Supervisors

ATTEST: Roxanna Moritz
Scott County Auditor

Scott County Board of Supervisors
March 10, 2016 5:00 p.m.

The Board of Supervisors met pursuant to adjournment with Kinzer, Sunderbruch, Holst, Hancock and Earnhardt present. The Board recited the pledge of allegiance.

Moved by Sunderbruch, seconded by Earnhardt approval of the minutes of the February 25, 2016 Regular Board Meeting and the minutes of the March 8, 2016 Committee of the Whole Meeting. All Ayes.

Moved by Earnhardt, seconded by Kinzer that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) That the Board of Supervisors approve the IDOT contract for use of Farm-to-Market Funds for the HMA Resurfacing Project: FM-C082(56)-55-82 [Y-48 - From F-65 North to F-58]. 2) That the Chairperson be authorized to sign the contract document on behalf of the Board. 3) That this resolution shall take effect immediately.

Moved by Earnhardt, seconded by Holst that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) That a public hearing be held at the regular meeting on March 24, 2016 in the Scott County Board Room at 5:00 p.m. to consider the recommendation of the Planning and Zoning Commission on the adoption of proposed amendments to the Scott County Comprehensive Plan and the Scott County Zoning Ordinance. 2) This resolution shall take effect immediately.

Moved by Earnhardt, seconded by Kinzer that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) As the local governing body responsible for the approval of subdivision plats within its unincorporated jurisdiction, the Scott County Board of Supervisors has, on this 10th day of March, 2016, considered the Final Plat known as Eagle Ridge Heights. Said Plat is a subdivision being formerly a part of Lot 1 of Little Acres Second Addition, located in the SW¹/₄NW¹/₄ of Section 21 of Township 80 North, Range 3 East of the 5th Principal Meridian (Winfield Township). Scott County, Iowa. The Scott County Board of Supervisors, having found said Plat to be in substantial compliance with the provisions of Chapter 354, Code of Iowa, and the Scott County Subdivision and Zoning Ordinances, does hereby approve the Final Plat of Eagle Ridge Heights. 2) The Board Chairman is authorized to sign the Certificate of Approval on behalf of the Board of Supervisors and the County Auditor to attest to his signature. 3) This Resolution shall take effect immediately.

Moved by Kinzer, seconded by Earnhardt that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) That General Policy 14 "Use of County Owned Facilities" updates the policy by adding language on employee responsibilities regarding their ID/access card. 2) This resolution shall take effect immediately.

Moved by Kinzer, seconded by Earnhardt that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) The hiring of Benjamin Leture for the position of Golf Maintenance Technician in the Conservation Department at the entry level rate.

Moved by Holst, seconded by Sunderbruch that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) The 2014 property taxes, due September 2015 and March 2016 including interest and penalties for Dwight Bishop, 2623 College Avenue, Davenport, Iowa, in the amount of \$1,770.00 are hereby suspended. 2) That the County Treasurer is hereby directed to suspend collection of the above stated taxes, assessments, and rates or charges, including interest, fees, and costs, thereby establishing a lien on said property as required by law, with future collection to include statutory interest. 3) This resolution shall take effect immediately.

Moved by Holst, seconded by Kinzer that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) The second half of the 2014 property taxes due March 2016 for Joanna Graller, 1019 West 15th Street, Davenport, Iowa, Parcel: G0015-27B in the amount of \$700.00 are hereby suspended. 2) The County Treasurer is hereby requested to suspend the collection of the above stated taxes thereby establishing a lien on said property as required by law with future collection to include statutory interest, if any. 3) This resolution shall take effect immediately.

Moved by Holst, seconded by Earnhardt that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) That the Multi-Year Contractual Agreement between Scott County, Scott County Board of Health and MEDIC EMS is hereby approved. 2) That the chairman is hereby authorized to sign said agreement. 3) This resolution shall take effect immediately.

Moved by Sunderbruch, seconded by Holst that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) That the MorphoTrak LiveScan Equipment and Interface is hereby approved as presented in the amount of \$50,746.00. 2) This resolution shall take effect immediately.

Moved by Sunderbruch, seconded by Kinzer that the following resolution be approved. Supervisor Holst spoke in opposition of the Assurances and Certification terms of the Iowa Homeland Security Grant for this resolution. Four Ayes, with Holst voting Nay.

BE IT RESOLVED: 1) That the Board hereby approves the purchase of the Quad City Bomb Squad vehicle for \$137,978.00 through LDV, Inc. with the funds from the Iowa Department of Homeland Security & Emergency Management grant. 2) That the Board approves purchase of this vehicle. 3) That the Sheriff is approved to order and purchase this vehicle. 4) This resolution shall take effect immediately.

Moved by Sunderbruch, seconded by Earnhardt that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) That the annual maintenance renewal for GIS software suite with ESRI, Inc. in the amount of \$22,300.00 is hereby approved. 2) That a purchase order shall be issued for said amount for the annual maintenance renewal for GIS software suite in the amount of \$22,300.00 (further described in ESRI, Inc. quote # 25722205). 3) This resolution shall take effect immediately.

Moved by Sunderbruch, seconded by Holst that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) The Fiscal Year 2017 salary schedule for Elected County Officials as recommended by the Scott County Compensation Board is hereby approved as follows:

<u>Position</u>	<u>Annual Salary (effective 7/1/16)</u>
Auditor	\$ 84,000
County Attorney	\$145,200 ¹
Recorder	\$ 84,000
Sheriff	\$109,200
Treasurer	\$ 84,000
Board Member, Board of Supervisors	\$ 42,200
Chair, Board of Supervisors	\$ 45,200

2) The Fiscal Year 2017 salary schedule for Deputy Office Holders is hereby approved as follows:

<u>Position</u>	<u>Annual Salary (effective 7/1/16)</u>
Deputy Auditor – Tax (75%)	\$ 63,000
First Assistant Attorney (85%)	\$123,420 ¹
Second Deputy Recorder (85%)	\$ 71,400
Chief Deputy Sheriff (85%)	\$ 92,820

3) It is understood that in those positions referenced herein are salaried employees and are not paid by the hour. 4) This resolution shall take effect July 1, 2016.

1. Salary may need to be reduced depending on Judicial Branch setting of District Court Judge's salary pursuant to Iowa Code 331.752(2)

Moved by Sunderbruch, seconded by Earnhardt that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) The salary ranges for County positions included in the Non-represented group shall be adjusted on July 1, 2016 by increasing the salary range midpoint by two percent (2%). 2) For the purpose of determining an hourly rate of pay for the Non-represented group, the annual base salary shall be divided by 2,080 hours. 3) The top of the salary schedule for Seasonal Health Worker, Planning Intern, Enforcement Aide and Seasonal Maintenance Worker (Roads) in the Z schedule of the pay plan shall be increased by two percent (2%). 4) The hourly rate for the part-time LPN and RN/EMT-P for the Immunization Clinic and Jail Health in the Z schedule of the pay plan shall be increased by two percent (2%). 5) This resolution shall take effect July 1, 2016.

Moved by Sunderbruch, seconded by Earnhardt that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) That a new department Budget and Administrative Services be created, upon passage and publication of an ordinance and include the positions of Budget and Administrative Services Director; ERP/ECM Budget Analyst, Purchasing Coordinator, and Administrative Assistant – Administration. That the table of organizations for said department, Administration and FSS be reflected accordingly .2) In the Budget and Administrative Services Department the position of Budget Manager (1.0 FTE) is hereby changed to Budget & Administration Director and upgraded from 597 to 657 Hay points. 3) That the table of organization for the Attorney's Office increased by up to 3.00 FTE Attorney II (total 7.0 FTE) to reflect the increased pay of the those prosecuting major crimes and the decrease of up to 3.0 FTE of Attorney I (total 7.0 FTE). In no case shall the number of Attorney II positions exceed 7.0 FTE (3 in supervisory positions, 1 Corporation Counsel and up to 3 prosecuting major crimes) or the combined total of Attorney I and Attorney II positions exceed 14.0 FTE. 4) In the Conservation Department the position of Equipment Specialist (West Lake Park) (1.0 FTE) is hereby changed to Equipment Specialist/Crew Leader and upgraded from 187 to 220 Hay Points. 5) That the table of organization for the Conservation Department be decreased by 1.0 FTE to reflect the elimination of the position of Golf Course Superintendent. 6) That the table of organization for the FSS Department be decreased by 1.0 FTE to reflect the elimination of the position of Operations Manager. 7) That the table of organization for the FSS Department be increased by 0.75 FTE to reflect the addition of the position of Maintenance Worker. 8) That the table of organization for the FSS Department be increased by 0.45 FTE to reflect the addition of the position of Custodial Worker. 9) That the table of organization for the IT Department be decreased by 0.4 FTE to reflect the elimination of the position of Clerk III. 10) That the table of organization for the Juvenile Detention Center be modified to reflect the addition of a full

time (1.0 FTE) Detention Youth Counselor and the elimination of 0.6 FTE part-time Detention Youth Counselor for a total of 12.4 FTE Total. 11) In the Secondary Roads Department the position of Service Technician (1.0 FTE) shall hereby be created at 143 Hay points. 12) That the table of organization for the Sheriff's Office be increased by 0.8 FTE to reflect the addition of hours being utilized by the Bailiffs, thereby adding two part-time 0.4 FTE Bailiff's for a total hours reflecting 12.4 FTE Bailiffs. 13) This resolution shall take effect July 1, 2016. However, paragraph 6 shall take effect upon passage of the resolution. However, paragraph 1 & 2 shall not take effect until July 1, 2016 and passage/publication of related ordinance. However, paragraphs 7 and 8 shall not take effect until March 1, 2017 or to coincide with the opening of the Patrol Facility.

Moved by Sunderbruch, seconded by Holst the first of three readings of an ordinance amending Chapter 3 "Appointed Officers and Departments" of the Scott County Iowa Code. Roll Call: All Ayes.

AN ORDINANCE AMENDING CHAPTER 3 APPOINTED OFFICERS AND DEPARTMENTS OF THE SCOTT COUNTY IOWA CODE, BY AMENDING NUMEROUS SECTIONS THERETO

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

Section 1. That Chapter 3 of the Scott County Iowa Code, be and the same is hereby amended to read as follows:

SECTIONS:

- 3-1. OFFICE OF THE ADMINISTRATOR
- 3-2. AUTHORITY, DUTIES AND RESPONSIBILITIES OF THE COUNTY ADMINISTRATOR
- 3-3. DEPARTMENT OF INFORMATION TECHNOLOGY
- 3-4. AUTHORITY, DUTIES AND RESPONSIBILITIES OF THE DIRECTOR OF INFORMATION TECHNOLOGY
- 3-5. DEPARTMENT OF FACILITIES AND SUPPORT SERVICES
- 3-6. AUTHORITY, DUTIES, AND RESPONSIBILITIES OF THE DIRECTOR OF FACILITIES AND SUPPORT SERVICES
- 3-7. DEPARTMENT OF COMMUNITY SERVICES
- 3-8. AUTHORITY, DUTIES AND RESPONSIBILITIES OF THE DIRECTOR OF COMMUNITY SERVICES
- 3-9. DEPARTMENT OF HUMAN RESOURCES
- 3-10. AUTHORITY, DUTIES AND RESPONSIBILITIES OF THE HUMAN RESOURCES DIRECTOR
- 3-11. DEPARTMENT OF PLANNING AND DEVELOPMENT
- 3-12. AUTHORITY, DUTIES AND RESPONSIBILITIES OF THE DIRECTOR OF PLANNING AND DEVELOPMENT
- (NEW) 3-13 DEPARTMENT OF BUDGET AND ADMINISTRATIVE SERVICES
- (NEW) 3-14 AUTHORITY, DUTIES AND RESPONSIBILITIES OF THE DIRECTOR OF BUDGET AND ADMINISTRATIVE SERVICES
- (NEW) 3-13 JUVENILE DETENTION CENTER

(NEW) 3-14 AUTHORITY, DUTIES AND RESPONSIBILITIES OF THE
JUVENILE DETENTION CENTER DIRECTOR

NOTE: COUNTY ENGINEER - SEE CODE OF IOWA SECTION 309.16
THROUGH 309.21

Section 2. That Section 3-2 of the Scott County Iowa Code, be and the same is hereby amended to read as follows:

SEC. 3-2 AUTHORITY, DUTIES AND RESPONSIBILITIES OF THE COUNTY
ADMINISTRATOR

A. The County Administrator serves as the principal advisor to the Board of Supervisors in all matters relating to the overall management of county government operations.

B. The County Administrator shall have direct administrative authority over all operating departments within the scope of responsibility of the Board of Supervisors.

C. The County Administrator shall prescribe the accepted standards of administrative practice for all operating departments within the scope of responsibility of the Board of Supervisors.

D. The County Administrator shall execute and enforce all resolutions and orders of the Board of Supervisors and see that all laws required to be enforced through the Board of Supervisors or by operating departments subject to its control are faithfully executed.

E. The County Administrator is authorized by the Board of Supervisors to take any reasonable ministerial action necessary in carrying out the responsibilities assigned to him, and to act at his discretion, upon matters not covered by Board policy or strictly prohibited by the Code of Iowa or this code. Such action will be reported to the Board of Supervisors as soon as practicable thereafter.

F. The County Administrator may delegate to appropriate department heads or professional staff members the authority to discharge certain duties and responsibilities vested in him by the Board of Supervisors. However, the delegation of such authority does not relieve the County Administrator of ultimate accountability and responsibility.

G. The County Administrator shall be responsible for the preparation, review and submission (in conjunction with the County Auditor as provided by the Code of Iowa) of a proposed annual operating budget plan for consideration by the Board of Supervisors. As such, a copy of the budget requests of all operating departments, including those under the direction of other elected county officials, and appointed boards, commissions, or other agencies receiving County funding, shall be submitted to the County Administrator in accordance with an annual budget planning calendar and in compliance with such dates and dead-lines as identified in the Code of Iowa. All departmental budget requests shall be in the format and contain such content as prescribed by the County Administrator.

H. The County Administrator shall be responsible for the development of all proposed capital program plans and the financing thereof, for consideration by the Board of Supervisors. He shall further be responsible for the execution of, and status reporting for all capital projects approved by the Board of Supervisors.

I. The County Administrator or his designee shall have access to the books and papers of all operating departments, for purposes of gathering appropriate data required

in support of the execution of the official duties of the Administrator's Office or in compliance with specific directions of the Board of Supervisors.

J. The County Administrator is responsible for periodic reporting of the status of the certified or amended annual operating budget, as well as the status of all active funds. Such reporting shall be done in cooperation with the appropriate elected officials having statutory authority and/or responsibility.

K. The County Administrator is responsible for the review and recommendation of all County operating department personnel appointments and other personnel items to be brought before the Board of Supervisors for their consideration and action.

L. The County Administrator shall have the authority to fill vacancies in authorized positions below department head level, within the limitations of budget funding and in conformance with established personnel policies. Such personnel appointments shall be filed bi-weekly in conjunction with Board of Supervisors meetings.

M. The County Administrator shall be authorized to approve compensation step increases that are in conformance with personnel policies.

N. The County Administrator is responsible for the review and assessment of all administrative matters to be considered by the Board of Supervisors. All administrative items to be considered by the Board of Supervisors shall be forwarded to the Chairman of the Board of Supervisors by the County Administrator for purposes of assigning to the appropriate committee for consideration.

O. The County Administrator may recommend appropriate administrative organizational structures and/or administrative reorganizations as he deems necessary for the efficient and effective operation of County government.

P. The County Administrator may recommend policy to the Board of Supervisors.

Q. The County Administrator shall be responsible for the management of all County facilities, except as responsibility for specific facilities is otherwise entrusted to county elected officials pursuant to the Code of Iowa.

R. The County Administrator shall be responsible for acquisition of all County goods and services in the most cost effective manner as possible, and in accordance with policies and procedures established by the Board of Supervisors and the State of Iowa.

S. The County Administrator shall present to the Board of Supervisors a recommended candidate for all department head position vacancies. The County Administrator will use a broad-based advisory selection committee represented by at least three elected office holders and three department heads in an advisory capacity during the selection process. The final decision relative to filling department head vacancies shall be made by the Board of Supervisors based upon the aforementioned selection process. For purposes of this section department head positions include the Director of Information Technology, Director of Facilities and Support Services, Director of Community Services, Director of Human Resources, Director of Planning and Development, Juvenile Detention Center Director, Director of Budget and Administrative Services and County Engineer. The advisory selection committee members may also include the Health Department Director, or Conservation Director.

T. The County Administrator may, under the general direction of the Board of Supervisors, bring together various county elected office holders, departments, and agencies to work together on common problems, issues, or opportunities.

U. The County Administrator may, under the general direction of the Board of Supervisors, represent the Board of Supervisors in meetings with the following: elected office holders; county agencies not under the direct responsibility of the Board of Supervisors; local, state, and federal officials and agencies; community groups and agencies; and the general public.

V. The County Administrator has the authority to terminate employees, including department heads, of Departments of County Government not under the direct control of an elected official. Terminations of employees, other than department heads and employees covered by a collective bargaining agreement, shall be subject to the grievance procedure set forth in Scott County Policy S. Terminated department heads shall begin the grievance procedure at Step 4 of Policy S.

Section 3. That Section 3-3 of the Scott County Iowa Code, be and the same is hereby amended to read as follows:

SEC. 3-3. DEPARTMENT OF INFORMATION TECHNOLOGY

A. There shall be a Department of Information Technology responsible for coordination and monitoring of the County's information technology functions including technology needs assessment, development and support of in-house or third party computer applications and management of County's LAN/WAN network.

B. The Department of Information Technology shall be headed by a Director appointed by the Board of Supervisors.

C. The Director of Information Technology shall report to and be accountable to the County Administrator for the performance of the department's duties and responsibilities.

D. The Director of Information Technology shall be a full time employee of the County.

Section 4. That Section 3-5 of the Scott County Iowa Code, be and the same is hereby amended to read as follows:

SEC. 3-5. DEPARTMENT OF FACILITIES AND SUPPORT SERVICES

A. There shall be a Department of Facilities and Support Services responsible for the management of the County's physical facilities, including building maintenance, custodial services, building and parking lot security, records storage, space allocation planning, purchase card administrative functions, print shop and mailroom functions, administrative reception, and coordination of construction and remodeling projects.

B. The Department of Facilities and Support Services shall be headed by a Director appointed by the Board of Supervisors.

C. The Director of Facilities and Support Services shall report to and be accountable to the County Administrator for the performance of the department's duties and responsibilities.

D. The Director of Facilities and Support Services shall be a full time employee of the County.

Section 5. That Section 3-6 of the Scott County Iowa Code, be and the same is hereby amended to read as follows:

SEC. 3-6. AUTHORITY, DUTIES AND RESPONSIBILITIES OF THE DIRECTOR OF FACILITIES AND SUPPORT SERVICES

A. The Director of Facilities and Support Services serves as the principal management official in the planning, direction, operation, and control functions of the Department of Facilities and Support Services.

B. The Director of Facilities and Support Services shall have direct administrative authority over the employees of the Department of Facilities and Support Services, including responsibility for administering collective bargaining agreements and County personnel policies as appropriate to the department.

C. The Director of Facilities and Support Services shall be responsible for the maintenance and upkeep of County buildings and grounds, including the development and implementation of preventative maintenance program.

D. The Director of Facilities and Support Services shall be responsible for the cleaning and custodial upkeep of County buildings.

E. The Director of Facilities and Support Services shall be responsible for developing, implementing and administering a program to provide adequate security of County buildings and parking lots.

F. The Director of Facilities and Support Services shall be responsible for developing recommendations in regard to space allocation in County buildings, and shall act as the liaison between the County and tenants in County buildings.

G. The Director of Facilities and Support Services shall be responsible for the coordination of planning, construction and remodeling projects as assigned by the County Administrator and/or the Board of Supervisors including the development of the multi-year Capital Improvements Plan.

H. The Director of Facilities and Support Services shall be responsible for developing, implementing and administering a program for the proper storage of County records.

I. The Director of Facilities and Support Services shall be responsible for the coordination and monitoring of various support services used by County offices and departments. These support services include: print shop and mail functions; inbound, outbound and inter-office mail; copier and records imaging coordination; and administration of County motor pool.

J. The Director of Facilities and Support Services shall be responsible for the performance of special projects as assigned from time to time by the County Administrator and/or the Board of Supervisors.

Section 6. That Section 3-7 of the Scott County Iowa Code, be and the same is hereby amended to read as follows:

SEC. 3-7. DEPARTMENT OF COMMUNITY SERVICES

A. There shall be a Department of Community Services overseeing activity in the area of human services. The department shall be responsible for providing emergency assistance to indigent persons in the County to ensure that they have adequate food, housing and medical services, for acting as advocate and liaison to County residents in County, State, or private institutions, for acting as conservator, guardian or payee for mentally incompetent residents of the County, for coordination of interdepartmental activities related to mental health, for acting as liaison with the County Commission on Veteran Affairs.

B. The Department of Community Services shall be headed by a Director appointed by the Board of Supervisors. The Director shall serve as the General Relief Director.

Section 7. That Section 3-9 of the Scott County Iowa Code, be and the same is hereby amended to read as follows:

SEC. 3-9. DEPARTMENT OF HUMAN RESOURCES

A. There shall be a Department of Human Resources responsible for the planning, development and administration of the County's personnel management program, including recruitment, performance appraisal, classification and compensation, training, collective bargaining negotiations and administration, administration of the employee benefits program for County employees and equal opportunity/affirmation action.

B. The Department of Human Resources shall be headed by a Director of Human Resources appointed by the Board of Supervisors.

C. The Director of Human Resources shall report to and be accountable to the County Administrator for the responsibilities.

D. The Director of Human Resources shall be a full time employee of the County.

Section 8. That Section 3-11 of the Scott County Iowa Code, be and the same is hereby amended to read as follows:

SEC. 3-11. DEPARTMENT OF PLANNING AND DEVELOPMENT

A. There shall be a Department of Planning and Development responsible for current and future land use and development planning; development and maintenance of the County rural address system; the disposition/maintenance of Scott County Industrial Park and tax deed properties; and building code administration.

B. The Department of Planning and Development shall be headed by a Director appointed by the Board of Supervisors.

C. The Director of Planning and Development shall report to and be accountable to the County Administrator for the performance of the department's duties and responsibilities.

D. The Director of Planning and Development shall be a full-time employee of the County.

Section 9. That Chapter 3 of the Scott County Iowa Code, be and the same is hereby amended by adding a new section 3-13 entitled Department of Budget and Administrative Services to read as follows:

3-13 Department of Budget and Administrative Services

A. There shall be a Department of Budget and Administrative Services responsible for the management of the County's fiscal internal control evaluation and development, budget and five year capital plan development, comprehensive annual financial reporting, municipal securities disclosure and debt covenant compliance, county-wide purchasing and purchase card administrative functions, administration of County ERP system, contract management, asset management, and fleet fiscal management.

B. The Department of Budget and Administrative Services shall be headed by a Director appointed by the Board of Supervisors.

- C. The Director of Budget and Administrative Services shall report to and be accountable to the County Administrator for the performance of the Department's duties and responsibilities.
- D. The Director of Budget and Administrative Services shall be a full time employee of the County.
- E. The Director of Budget and Administrative Services shall be responsible for preparing the comprehensive annual financial report to accounting principles generally accepted in the United States of America.
- F. The Director of Budget and Administrative Services shall be responsible for developing, implementing and administrating the annual budget and five year capital plan.
- G. The Director of Budget and Administrative Services shall be responsible for developing, implementing and administrating a central purchase function for all County elected officials and departments.
- H. The Director of Budget and Administrative Services shall be responsible for developing, implementing and maintaining an capital asset control system for all County equipment and property and providing appropriate interface with the County purchasing system.

Section 10. That Chapter 3 of the Scott County Iowa Code, be and the same is hereby amended by adding a new section 3-14 entitled Authority, duties and responsibilities of the Director of Budget and Administrative Services to read as follows:

3-14 Authority, duties and responsibilities of the Director of Budget and Administrative Services

- A. The Director of Budget and Administrative Services serves as the principal management official in the planning, direction, operation and control functions of the Department of Budget and Administrative Services, working closely with the operating departments and agencies of the County in all facets of the process.
- B. The Director of Budget and Administrative Services shall have direct administrative authority over the employees of the Budget and Administrative Services department including responsibility for administrating collective bargaining agreements and County personnel policies as appropriate to the Department.
- C. The Director of Budget and Administrative Services Director shall be responsible for monitoring revenues and expenditures of the approved County Budget and providing timely management financial reports including budget amendments respecting the same for the County Administrator. The Director will chair the County Financial Review Committee.
- D. The Director of Budget and Administrative Services shall be responsible for the procurement and administration of specialized accounting services such as the indirect cost plan, actuarial studies and bond compliance and reporting.
- E. The Director of Budget and Administrative Services shall be responsible for the performance of special projects as assigned from time to time by the County Administrator.
- F. The Director of Budget and Administrative Services shall be responsible for the preparation and coordination of the County annual financial report according to accounting principles generally accepted in the United States of America.

G. The Director of Budget and Administrative Services shall be the fiscal agent for the Eastern Iowa Mental Health Region which includes duties of procurement, accounts payable and preparation of the comprehensive annual financial report and other financial management duties. The Director of Budget and Administrative Services reports directly the Eastern Iowa Metal Health Board in these matters.

Section 11. That Chapter 3 of the Scott County Iowa Code, be and the same is hereby amended by adding a new section 3-15 entitled Juvenile Detention Center to read as follows:

- A. There shall be a Juvenile Detention Center that focuses on juvenile justice and ensures the safety and security of detainees housed at the facility.
- B. The Juvenile Detention Center shall be headed by a Director appointed by the Board of Supervisors.
- C. The Juvenile Detention Center Director shall report to and be accountable to the County Administrator for the performance of the department's duties and responsibilities.
- D. The Juvenile Detention Center Director shall be a full-time employee of the County.

Section 12. That Chapter 3 of the Scott County Iowa Code, be and the same is hereby amended by adding a new section 3-16 entitled Authority, duties and responsibilities of the Juvenile Detention Center Director to read as follows:

- A. The Juvenile Detention Center Director serves as the principal management official in the Juvenile Detention Center with direction, operation and control of the functions of the Juvenile Detention Center Director.
- B. The Juvenile Detention Center Director shall have direct administrative authority over the employees of the Juvenile Detention Center including responsibility for administrating collective bargaining agreements and County personnel polices as appropriate to the Department.
- C. The Juvenile Detention Center Director shall develop and implement policies and procedures to meet the changing needs, regulations and guidelines pertaining to the operation of the Center and supervision of its clients.
- D. The Juvenile Detention Center Director shall ensure appropriate coordination and performance of the admission, supervision and release of juveniles in accordance with Departmental and legislated procedures and guidelines.
- E. The Juvenile Detention Center Director shall ensure appropriate documentation of Center activities are logged and maintained for internal and external audit, including but, not limited to: detainee daily logs, medication records, visitation records, Child Nutrition Program, and court orders for placement or release.
- F. The Juvenile Detention Center Director shall participates on local juvenile justice committees to ensure the Center functions and community role is appropriately conveyed and provides coordination with other juvenile justice systems in the area.
- G. The Juvenile Detention Center Director shall create and conduct appropriate training for new and current staff to ensure adherence to regulatory requirements, departmental procedures and behavior management programs.

H. The Juvenile Detention Center Director shall administer the grievance procedures for detainees and investigates complaints in accordance with guidelines and takes appropriate action.

SEVERABILITY CLAUSE. If any of the provisions of this ordinance are for any reason illegal or void, then the lawful provisions of this ordinance, which are separable 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.

REPEALER. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

EFFECTIVE DATE. This ordinance shall be in full force and effective after its final passage and publication as by law provided.

Moved by Sunderbruch, seconded by Earnhardt that the following resolution be approved. Roll Call: All Ayes except that Supervisor Holst voted nay on the Lodge design plans in the FY18-21 Capital Projects Program and the Patrol Center design plans in the FY17 Capital Projects Program.

BE IT RESOLVED: 1) The FY17 County Budget as presented by the County Administrator and as reviewed and considered by this Board is hereby adopted in the amount of \$80,568,437 (which includes the Golf Course Enterprise Fund in the amount of \$1,053,324, a non-budgeted fund for State certification purposes).

2) The total amount of service area:

<u>Service Area</u>	<u>Amount</u>
Public Safety & Legal Services	\$29,723,373
Physical Health & Social Services	6,559,546
Mental Health, ID & DD	5,070,706
County Environment & Education	4,845,056
Roads & Transportation	6,198,523
Government Services to Residents	2,431,520
Administration (interprogram)	<u>11,039,710</u>
Subtotal Operating Budget	\$65,868,434
Debt Service	3,866,579
Capital Projects	<u>9,780,100</u>
Subtotal County Budget	\$79,515,113
Golf Course Operations	<u>1,053,324</u>
TOTAL	<u>\$80,568,437</u>

3) The FY17 capital budget and FY18-21 capital program is hereby adopted. 4) The County Auditor is hereby directed to properly certify the budget as adopted and file with the records of her office and that of the State Department of Management as required by law. 5) This resolution shall take effect immediately.

Moved by Sunderbruch, seconded by Earnhardt a motion approving the filing of quarterly financial reports from various county offices. All Ayes.

Moved by Sunderbruch, seconded by Holst that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) That the appointment of John Schnekloth, Eldridge, Iowa, to the Benefited Fire District #3 for a three (3) year term expiring on April 1, 2019 is hereby approved. 2) This resolution shall take effect immediately.

Moved by Sunderbruch, seconded by Earnhardt that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) That the appointment of Merlyn Madden, Long Grove, Iowa, to the Benefited Fire District #4 for a three (3) year term expiring on April 1, 2019 is hereby approved. 2) This resolution shall take effect immediately.

Moved by Sunderbruch, seconded by Kinzer that the following resolution be approved. Roll Call: All Ayes.

BE IT RESOLVED: 1) The Scott County Board of Supervisors approves for payment all warrants numbered 274853 through 275107 as submitted and prepared for payment by the County Auditor, in the total amount of \$1,931,860.22. 2) This resolution shall take effect immediately.

Moved by Kinzer, seconded by Earnhardt a motion to adjourn. All Ayes.

Jim Hancock, Chair of the Board
Scott County Board of Supervisors

ATTEST: Roxanna Moritz
Scott County Auditor

Scott County Board of Supervisors
March 22, 2016 8:00 a.m.

The Board of Supervisors met as a committee of the whole and pursuant to adjournment with Holst, Hancock, Earnhardt and Kinzer present. Supervisor Sunderbruch was absent.

Moved by Earnhardt, seconded by Kinzer at 9:30 a.m. a motion to adjourn. All Ayes.

Jim Hancock, Chair of the Board
Scott County Board of Supervisors

ATTEST: Roxanna Moritz
Scott County Auditor

Scott County Board of Supervisors
March 24, 2016 5:00 p.m.

The Board of Supervisors met pursuant to adjournment with Sunderbruch, Holst, Hancock, Earnhardt and Kinzer present. The Board recited the pledge of allegiance.

Moved by Sunderbruch, seconded by Earnhardt approval of the minutes of the March 10, 2016 Regular Board Meeting and the minutes of the March 22, 2016 Committee of the Whole Meeting. All Ayes.

Chairman Hancock postponed consideration of the resolution recognizing Public Radio Week to the end of the meeting.

Moved by Hancock, seconded by Earnhardt a motion to open a public hearing relative to the sale of property at 2504 Telegraph Road, Davenport. All Ayes.

Anne Armknecht, CEO of Vera French, 17720 290th Street, Long Grove, spoke to the Board in favor of selling the property.

Moved by Hancock, seconded by Earnhardt a motion to close the public hearing. All Ayes.

Moved by Hancock, seconded by Kinzer a motion to open a public hearing relative to the Planning and Zoning Commission's recommended amendments to Chapter Two of the Scott County Comprehensive Plan and adoption of a revised Zoning Ordinance. All Ayes.

Ed Geest, 6130 116th Street, Blue Grass, spoke to the Board opposing the changes to the Zoning Ordinance and explained how decisions now would affect future generations.

Katey Geest, 6130 116th Street, Blue Grass, spoke in opposition of the plans.

John Wiese, General Delivery, Blue Grass, spoke to the Board opposing the plans and told the Board to preserve ground and save our soil.

Gene Vincent, 24037 183rd Street, Bettendorf, spoke to the Board regarding his extension service and crop management background and questioned the consequences of spot zoning.

Rosemary Jochmann, 2190 Hogan Court, Bettendorf, told the Board of how the land is a natural resource and that you can't reclaim the soil and land after a big factory closes.

Dave Meier, PO Box 639, Walcott, a landowner in the County, spoke to the Board opposing the plan. He stated the changes would decrease the quality of

neighboring farms and questioned what the taxpayers would be responsible for. He also wanted the County to preserve residents property rights.

Scott Carlson, 24538 170th Avenue, Eldridge, spoke to the Board in opposition of the plan.

Jane Duax, 2111 East Lombard Street, Davenport, spoke to the Board in opposition of the planned changes and stated that once the land is lost, you can never get it back.

David Urush, 27980 Territorial Road, LeClaire, told the Board he opposes the changes and to not destroy valuable land.

Jerry Mohr, 23785 130th Avenue, Eldridge, stated that property valuations have increased and told the Board to think carefully of changing the zoning ordinance and consider what economic impact a change would have to the community.

Ralph Johanson, 13120 100th Avenue, Davenport, spoke of the value of agricultural land as the same as industrial land, quoted the Comprehensive Plan and agreed industrial areas are necessary but stated that the rezoning didn't conform to the Comprehensive Plan and asked the Board to not approve the new plan as written.

Rory Washburn, 4485 Cheyenne Avenue, Davenport, spoke in favor of the planned changes and stated the changes would be important to opportunities that may come to the area in the future.

Ray De Winkle, 331 West 3rd Street, Davenport, Quad City Chamber of Commerce member, spoke to the Board of the valuable area in the region and to keep industry in industrial zoned areas but to prepare for future opportunity.

Todd McGreevy, 633 Riverview Terrace, Bettendorf, spoke to the Board about being a property rights advocate and asked the Board to look closer at site studies of industrial areas.

Pam Kaufman, 1513 21st Street, Bettendorf, spoke to the Board as a small business owner and challenged the Board to think local and explained how local farms and local businesses keep money in the local economy.

Royce Bare, 10135 210th Street, Walcott, spoke to the Board in opposition of the rezoning plans and stated that if passed, agriculture preservation will be eliminated and residents won't know what could be built next to their property.

Rob Ewoldt, 613 North Mississippi Street, Blue Grass, spoke to the Board opposing the plan and stated it would take the area from very strict zoning to losing all agricultural protection. He also questioned how the County would compensate adjacent property owners.

Arnold Ash, 5725 West 90th Street, Davenport, told the Board he lives in his family farmhouse and worked with companies that supplied products to big agricultural plants in the area. He asked the Board to think about their decision and rely on their moral compass.

Harold Kempf, 20437 290th Street, Long Grove, spoke in opposition of the plans due to groundwater concerns.

Mary Lou Engler, 1132 West Price Court, Eldridge, spoke in opposition and explained her concerns with how industrial changes would affect family life.

Gary Mehrens, 2733 North Lincoln Avenue, Davenport, past member of Planning and Zoning Commission, spoke in opposition of the planned changes and said the community agrees.

Mike Meloy, 30 Oakbrook Place, Bettendorf, spoke in opposition of the plans and stated that spot zoning was illegal and asked the Board to listen to the residents of the County.

Jessica Armstrong, 6140 Deere Creek Lane, Davenport, asked the Board why they would change the Comprehensive Plan. She stated the current plan already gives the Board a say in considering individual prospects to rezoning areas.

Mike Wulf, 24141 80th Avenue, Walcott, spoke in opposition and asked the Board to not change the rules. He also wondered what will be put in as a neighbor if the zoning changes.

Gale Francione, 2617 Cedar Street, Davenport, spoke in opposition of the changes and asked the County to keep being good stewards and to think of other available areas for industrial projects.

Ann Geiger, 226 North River Drive, Princeton, spoke in favor of economic development, but to only use ag land as a last resort.

Kent Paustian, 6520 215th Street, Walcott, former Planning and Zoning Commission member, spoke in opposition of the plan changes. He stated the proposed rezoning would be spot zoning.

Mary Friederichs, 21676 80th Avenue, Walcott, spoke in opposition of the plans, claimed the changes would really be spot zoning and told the Board the changes would not be needed and would be a detriment to the Agricultural community.

Margo Effland, 12300 210th Street, Davenport, spoke in opposition of the planned zoning changes.

Blane Bolte, 8621 180th Street, Walcott, told the Board of the impact a large fertilizer plant that was built in another Iowa county has had on neighboring farms there. He also told the Board spot zoning was not necessary.

Roger Friederichs, 6259 210th Street, Walcott, spoke in opposition of the changes. He wanted to see the County preserve land and stated that when the land is gone, it is gone forever.

Moved by Hancock, seconded by Earnhardt a motion to close the public hearing. All Ayes.

Moved by Earnhardt, seconded by Kinzer that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) That the bid for the Juvenile Detention Center south side door replacement be awarded to Stanley Convergent Security Solutions in the amount of \$49,600.00. 2) This resolution shall take effect immediately.

Moved by Earnhardt, seconded by Sunderbruch that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) That the base bid for the Sheriff Patrol Headquarters construction project is accepted and the contract is awarded to Conlon Construction in the amount of \$4,539,000.00. 2) That bid alternate number one for the Sheriff Patrol Headquarters construction project is accepted and awarded to Conlon Construction in the amount of \$11,000.00. 3) That the Director of Facility & Support Services is hereby authorized to execute contract documents on behalf of the Scott County Board of Supervisors. 4) This resolution shall take effect immediately.

Moved by Kinzer, seconded by Earnhardt that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) That said Board of Supervisors does hereby recognize the retirement of Barb Harden and conveys its appreciation for 12 years of faithful service to the Conservation Department. 2) This resolution shall take effect immediately.

Moved by Kinzer, seconded by Holst that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) That said Board of Supervisors does hereby recognize the retirement of Dave Engler and conveys its appreciation for 20 years of faithful service to the Secondary Roads Department. 2) This resolution shall take effect immediately.

Moved by Kinzer, seconded by Holst that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) That the table of organization for the Secondary Roads Department be decreased by 0.3 FTE to reflect the elimination of the Garage Caretaker position. 2) That the table of organization for the Facility and Support Services Department be increased by 0.45 FTE to allow for the Custodial Worker approved in the FY17 budget and passed by resolution dated March 10, 2016 to be added at this time. 3) This resolution shall take effect immediately.

Moved by Kinzer, seconded by Earnhardt that the following resolution be approved. Supervisor Kinzer wanted to make sure the Board recognizes the list of exempted names that would be coming from the Sheriff's Office in the near future. All Ayes.

BE IT RESOLVED: 1) That General Policy 42 "24 Hour Assignment of County Vehicles" be added to the County General Policies. 2) This resolution shall take effect immediately.

Moved by Holst, seconded by Kinzer that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) The second half of the 2014 property taxes due in March 2016 for Michele Creamean, 2029 Canal Shore Drive, LeClaire, Iowa in the amount of \$1,739.00 are hereby suspended. 2) The County Treasurer is hereby directed to suspend the collection of the above stated taxes thereby establishing a lien on said property as required by law with future collection to include statutory interest, if any. 3) This resolution shall take effect immediately.

Moved by Sunderbruch, seconded by Earnhardt the second of three readings of an ordinance amending Chapter 3 "Appointed Officers and Departments" of the Scott County Iowa Code. Roll Call: All Ayes.

AN ORDINANCE AMENDING CHAPTER 3 APPOINTED OFFICERS AND DEPARTMENTS OF THE SCOTT COUNTY IOWA CODE, BY AMENDING NUMEROUS SECTIONS THERETO

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

Section 1. That Chapter 3 of the Scott County Iowa Code, be and the same is hereby amended to read as follows:

SECTIONS:

3-1. OFFICE OF THE ADMINISTRATOR

3-2. AUTHORITY, DUTIES AND RESPONSIBILITIES OF THE COUNTY ADMINISTRATOR

3-3. DEPARTMENT OF INFORMATION TECHNOLOGY

3-4. AUTHORITY, DUTIES AND RESPONSIBILITIES OF THE DIRECTOR OF INFORMATION TECHNOLOGY

3-5. DEPARTMENT OF FACILITIES AND SUPPORT SERVICES

3-6. AUTHORITY, DUTIES, AND RESPONSIBILITIES OF THE DIRECTOR OF FACILITIES AND SUPPORT SERVICES

3-7. DEPARTMENT OF COMMUNITY SERVICES

3-8. AUTHORITY, DUTIES AND RESPONSIBILITIES OF THE DIRECTOR OF COMMUNITY SERVICES

3-9. DEPARTMENT OF HUMAN RESOURCES

3-10. AUTHORITY, DUTIES AND RESPONSIBILITIES OF THE HUMAN RESOURCES DIRECTOR

3-11. DEPARTMENT OF PLANNING AND DEVELOPMENT

3-12. AUTHORITY, DUTIES AND RESPONSIBILITIES OF THE DIRECTOR OF PLANNING AND DEVELOPMENT

(NEW) 3-13 DEPARTMENT OF BUDGET AND ADMINISTRATIVE SERVICES

(NEW) 3-14 AUTHORITY, DUTIES AND RESPONSIBILITIES OF THE DIRECTOR OF BUDGET AND ADMINISTRATIVE SERVICES

(NEW) 3-13 JUVENILE DETENTION CENTER

(NEW) 3-14 AUTHORITY, DUTIES AND RESPONSIBILITIES OF THE JUVENILE DETENTION CENTER DIRECTOR

NOTE: COUNTY ENGINEER - SEE CODE OF IOWA SECTION 309.16 THROUGH 309.21

Section 2. That Section 3-2 of the Scott County Iowa Code, be and the same is hereby amended to read as follows:

SEC. 3-2 AUTHORITY, DUTIES AND RESPONSIBILITIES OF THE COUNTY ADMINISTRATOR

A. The County Administrator serves as the principal advisor to the Board of Supervisors in all matters relating to the overall management of county government operations.

B. The County Administrator shall have direct administrative authority over all operating departments within the scope of responsibility of the Board of Supervisors.

C. The County Administrator shall prescribe the accepted standards of administrative practice for all operating departments within the scope of responsibility of the Board of Supervisors.

D. The County Administrator shall execute and enforce all resolutions and orders of the Board of Supervisors and see that all laws required to be enforced through the Board of Supervisors or by operating departments subject to its control are faithfully executed.

E. The County Administrator is authorized by the Board of Supervisors to take any reasonable ministerial action necessary in carrying out the responsibilities assigned to him, and to act at his discretion, upon matters not covered by Board policy or strictly prohibited by the Code of Iowa or this code. Such action will be reported to the Board of Supervisors as soon as practicable thereafter.

F. The County Administrator may delegate to appropriate department heads or professional staff members the authority to discharge certain duties and responsibilities vested in him by the Board of Supervisors. However, the delegation of such authority does not relieve the County Administrator of ultimate accountability and responsibility.

G. The County Administrator shall be responsible for the preparation, review and submission (in conjunction with the County Auditor as provided by the Code of Iowa) of

a proposed annual operating budget plan for consideration by the Board of Supervisors. As such, a copy of the budget requests of all operating departments, including those under the direction of other elected county officials, and appointed boards, commissions, or other agencies receiving County funding, shall be submitted to the County Administrator in accordance with an annual budget planning calendar and in compliance with such dates and dead-lines as identified in the Code of Iowa. All departmental budget requests shall be in the format and contain such content as prescribed by the County Administrator.

H. The County Administrator shall be responsible for the development of all proposed capital program plans and the financing thereof, for consideration by the Board of Supervisors. He shall further be responsible for the execution of, and status reporting for all capital projects approved by the Board of Supervisors.

I. The County Administrator or his designee shall have access to the books and papers of all operating departments, for purposes of gathering appropriate data required in support of the execution of the official duties of the Administrator's Office or in compliance with specific directions of the Board of Supervisors.

J. The County Administrator is responsible for periodic reporting of the status of the certified or amended annual operating budget, as well as the status of all active funds. Such reporting shall be done in cooperation with the appropriate elected officials having statutory authority and/or responsibility.

K. The County Administrator is responsible for the review and recommendation of all County operating department personnel appointments and other personnel items to be brought before the Board of Supervisors for their consideration and action.

L. The County Administrator shall have the authority to fill vacancies in authorized positions below department head level, within the limitations of budget funding and in conformance with established personnel policies. Such personnel appointments shall be filed bi-weekly in conjunction with Board of Supervisors meetings.

M. The County Administrator shall be authorized to approve compensation step increases that are in conformance with personnel policies.

N. The County Administrator is responsible for the review and assessment of all administrative matters to be considered by the Board of Supervisors. All administrative items to be considered by the Board of Supervisors shall be forwarded to the Chairman of the Board of Supervisors by the County Administrator for purposes of assigning to the appropriate committee for consideration.

O. The County Administrator may recommend appropriate administrative organizational structures and/or administrative reorganizations as he deems necessary for the efficient and effective operation of County government.

P. The County Administrator may recommend policy to the Board of Supervisors.

Q. The County Administrator shall be responsible for the management of all County facilities, except as responsibility for specific facilities is otherwise entrusted to county elected officials pursuant to the Code of Iowa.

R. The County Administrator shall be responsible for acquisition of all County goods and services in the most cost effective manner as possible, and in accordance with policies and procedures established by the Board of Supervisors and the State of Iowa.

S. The County Administrator shall present to the Board of Supervisors a recommended candidate for all department head position vacancies. The County Administrator will use a broad-based advisory selection committee represented by at least three elected office holders and three department heads in an advisory capacity during the selection process. The final decision relative to filling department head vacancies shall be made by the Board of Supervisors based upon the aforementioned selection process. For purposes of this section department head positions include the Director of Information Technology, Director of Facilities and Support Services, Director of Community Services, Director of Human Resources, Director of Planning and Development, Juvenile Detention Center Director, Director of Budget and Administrative Services and County Engineer. The advisory selection committee members may also include the Health Department Director, or Conservation Director.

T. The County Administrator may, under the general direction of the Board of Supervisors, bring together various county elected office holders, departments, and agencies to work together on common problems, issues, or opportunities.

U. The County Administrator may, under the general direction of the Board of Supervisors, represent the Board of Supervisors in meetings with the following: elected office holders; county agencies not under the direct responsibility of the Board of Supervisors; local, state, and federal officials and agencies; community groups and agencies; and the general public.

V. The County Administrator has the authority to terminate employees, including department heads, of Departments of County Government not under the direct control of an elected official. Terminations of employees, other than department heads and employees covered by a collective bargaining agreement, shall be subject to the grievance procedure set forth in Scott County Policy S. Terminated department heads shall begin the grievance procedure at Step 4 of Policy S.

Section 3. That Section 3-3 of the Scott County Iowa Code, be and the same is hereby amended to read as follows:

SEC. 3-3. DEPARTMENT OF INFORMATION TECHNOLOGY

A. There shall be a Department of Information Technology responsible for coordination and monitoring of the County's information technology functions including technology needs assessment, development and support of in-house or third party computer applications and management of County's LAN/WAN network.

B. The Department of Information Technology shall be headed by a Director appointed by the Board of Supervisors.

C. The Director of Information Technology shall report to and be accountable to the County Administrator for the performance of the department's duties and responsibilities.

D. The Director of Information Technology shall be a full time employee of the County.

Section 4. That Section 3-5 of the Scott County Iowa Code, be and the same is hereby amended to read as follows:

SEC. 3-5. DEPARTMENT OF FACILITIES AND SUPPORT SERVICES

A. There shall be a Department of Facilities and Support Services responsible for the management of the County's physical facilities, including building maintenance, custodial services, building and parking lot security, records storage, space allocation

planning, purchase card administrative functions, print shop and mailroom functions, administrative reception, and coordination of construction and remodeling projects.

B. The Department of Facilities and Support Services shall be headed by a Director appointed by the Board of Supervisors.

C. The Director of Facilities and Support Services shall report to and be accountable to the County Administrator for the performance of the department's duties and responsibilities.

D. The Director of Facilities and Support Services shall be a full time employee of the County.

Section 5. That Section 3-6 of the Scott County Iowa Code, be and the same is hereby amended to read as follows:

SEC. 3-6. AUTHORITY, DUTIES AND RESPONSIBILITIES OF THE DIRECTOR OF FACILITIES AND SUPPORT SERVICES

A. The Director of Facilities and Support Services serves as the principal management official in the planning, direction, operation, and control functions of the Department of Facilities and Support Services.

B. The Director of Facilities and Support Services shall have direct administrative authority over the employees of the Department of Facilities and Support Services, including responsibility for administering collective bargaining agreements and County personnel policies as appropriate to the department.

C. The Director of Facilities and Support Services shall be responsible for the maintenance and upkeep of County buildings and grounds, including the development and implementation of preventative maintenance program.

D. The Director of Facilities and Support Services shall be responsible for the cleaning and custodial upkeep of County buildings.

E. The Director of Facilities and Support Services shall be responsible for developing, implementing and administering a program to provide adequate security of County buildings and parking lots.

F. The Director of Facilities and Support Services shall be responsible for developing recommendations in regard to space allocation in County buildings, and shall act as the liaison between the County and tenants in County buildings.

G. The Director of Facilities and Support Services shall be responsible for the coordination of planning, construction and remodeling projects as assigned by the County Administrator and/or the Board of Supervisors including the development of the multi-year Capital Improvements Plan.

H. The Director of Facilities and Support Services shall be responsible for developing, implementing and administering a program for the proper storage of County records.

I. The Director of Facilities and Support Services shall be responsible for the coordination and monitoring of various support services used by County offices and departments. These support services include: print shop and mail functions; inbound, outbound and inter-office mail; copier and records imaging coordination; and administration of County motor pool.

J. The Director of Facilities and Support Services shall be responsible for the performance of special projects as assigned from time to time by the County Administrator and/or the Board of Supervisors.

Section 6. That Section 3-7 of the Scott County Iowa Code, be and the same is hereby amended to read as follows:

SEC. 3-7. DEPARTMENT OF COMMUNITY SERVICES

A. There shall be a Department of Community Services overseeing activity in the area of human services. The department shall be responsible for providing emergency assistance to indigent persons in the County to ensure that they have adequate food, housing and medical services, for acting as advocate and liaison to County residents in County, State, or private institutions, for acting as conservator, guardian or payee for mentally incompetent residents of the County, for coordination of interdepartmental activities related to mental health, for acting as liaison with the County Commission on Veteran Affairs.

B. The Department of Community Services shall be headed by a Director appointed by the Board of Supervisors. The Director shall serve as the General Relief Director.

Section 7. That Section 3-9 of the Scott County Iowa Code, be and the same is hereby amended to read as follows:

SEC. 3-9. DEPARTMENT OF HUMAN RESOURCES

A. There shall be a Department of Human Resources responsible for the planning, development and administration of the County's personnel management program, including recruitment, performance appraisal, classification and compensation, training, collective bargaining negotiations and administration, administration of the employee benefits program for County employees and equal opportunity/affirmation action.

B. The Department of Human Resources shall be headed by a Director of Human Resources appointed by the Board of Supervisors.

C. The Director of Human Resources shall report to and be accountable to the County Administrator for the responsibilities.

D. The Director of Human Resources shall be a full time employee of the County.

Section 8. That Section 3-11 of the Scott County Iowa Code, be and the same is hereby amended to read as follows:

SEC. 3-11. DEPARTMENT OF PLANNING AND DEVELOPMENT

A. There shall be a Department of Planning and Development responsible for current and future land use and development planning; development and maintenance of the County rural address system; the disposition/maintenance of Scott County Industrial Park and tax deed properties; and building code administration.

B. The Department of Planning and Development shall be headed by a Director appointed by the Board of Supervisors.

C. The Director of Planning and Development shall report to and be accountable to the County Administrator for the performance of the department's duties and responsibilities.

D. The Director of Planning and Development shall be a full-time employee of the County.

Section 9. That Chapter 3 of the Scott County Iowa Code, be and the same is hereby amended by adding a new section 3-13 entitled Department of Budget and Administrative Services to read as follows:

3-13 Department of Budget and Administrative Services

- A. There shall be a Department of Budget and Administrative Services responsible for the management of the County's fiscal internal control evaluation and development, budget and five year capital plan development, comprehensive annual financial reporting, municipal securities disclosure and debt covenant compliance, county-wide purchasing and purchase card administrative functions, administration of County ERP system, contract management, asset management, and fleet fiscal management.
- B. The Department of Budget and Administrative Services shall be headed by a Director appointed by the Board of Supervisors.
- C. The Director of Budget and Administrative Services shall report to and be accountable to the County Administrator for the performance of the Department's duties and responsibilities.
- D. The Director of Budget and Administrative Services shall be a full time employee of the County.
- E. The Director of Budget and Administrative Services shall be responsible for preparing the comprehensive annual financial report to accounting principles generally accepted in the United States of America.
- F. The Director of Budget and Administrative Services shall be responsible for developing, implementing and administering the annual budget and five year capital plan.
- G. The Director of Budget and Administrative Services shall be responsible for developing, implementing and administering a central purchase function for all County elected officials and departments.
- H. The Director of Budget and Administrative Services shall be responsible for developing, implementing and maintaining an capital asset control system for all County equipment and property and providing appropriate interface with the County purchasing system.

Section 10. That Chapter 3 of the Scott County Iowa Code, be and the same is hereby amended by adding a new section 3-14 entitled Authority, duties and responsibilities of the Director of Budget and Administrative Services to read as follows:

3-14 Authority, duties and responsibilities of the Director of Budget and Administrative Services

- A. The Director of Budget and Administrative Services serves as the principal management official in the planning, direction, operation and control functions of the Department of Budget and Administrative Services, working closely with the operating departments and agencies of the County in all facets of the process.
- B. The Director of Budget and Administrative Services shall have direct administrative authority over the employees of the Budget and Administrative Services department including responsibility for administering collective bargaining agreements and County personnel policies as appropriate to the Department.
- C. The Director of Budget and Administrative Services Director shall be responsible for monitoring revenues and expenditures of the approved County Budget and providing timely management financial reports including budget amendments respecting the same for the County Administrator. The Director will chair the County Financial Review Committee.

- D. The Director of Budget and Administrative Services shall be responsible for the procurement and administration of specialized accounting services such as the indirect cost plan, actuarial studies and bond compliance and reporting.
- E. The Director of Budget and Administrative Services shall be responsible for the performance of special projects as assigned from time to time by the County Administrator.
- F. The Director of Budget and Administrative Services shall be responsible for the preparation and coordination of the County annual financial report according to accounting principles generally accepted in the United States of America.
- G. The Director of Budget and Administrative Services shall be the fiscal agent for the Eastern Iowa Mental Health Region which includes duties of procurement, accounts payable and preparation of the comprehensive annual financial report and other financial management duties. The Director of Budget and Administrative Services reports directly the Eastern Iowa Metal Health Board in these matters.

Section 11. That Chapter 3 of the Scott County Iowa Code, be and the same is hereby amended by adding a new section 3-15 entitled Juvenile Detention Center to read as follows:

- A. There shall be a Juvenile Detention Center that focuses on juvenile justice and ensures the safety and security of detainees housed at the facility.
- B. The Juvenile Detention Center shall be headed by a Director appointed by the Board of Supervisors.
- C. The Juvenile Detention Center Director shall report to and be accountable to the County Administrator for the performance of the department's duties and responsibilities.
- D. The Juvenile Detention Center Director shall be a full-time employee of the County.

Section 12. That Chapter 3 of the Scott County Iowa Code, be and the same is hereby amended by adding a new section 3-16 entitled Authority, duties and responsibilities of the Juvenile Detention Center Director to read as follows:

- A. The Juvenile Detention Center Director serves as the principal management official in the Juvenile Detention Center with direction, operation and control of the functions of the Juvenile Detention Center Director.
- B. The Juvenile Detention Center Director shall have direct administrative authority over the employees of the Juvenile Detention Center including responsibility for administrating collective bargaining agreements and County personnel polices as appropriate to the Department.
- C. The Juvenile Detention Center Director shall develop and implement policies and procedures to meet the changing needs, regulations and guidelines pertaining to the operation of the Center and supervision of its clients.
- D. The Juvenile Detention Center Director shall ensure appropriate coordination and performance of the admission, supervision and release of juveniles in accordance with Departmental and legislated procedures and guidelines.
- E. The Juvenile Detention Center Director shall ensure appropriate documentation of Center activities are logged and maintained for internal and external audit,

including but, not limited to: detainee daily logs, medication records, visitation records, Child Nutrition Program, and court orders for placement or release.

- F. The Juvenile Detention Center Director shall participate on local juvenile justice committees to ensure the Center functions and community role is appropriately conveyed and provides coordination with other juvenile justice systems in the area.
- G. The Juvenile Detention Center Director shall create and conduct appropriate training for new and current staff to ensure adherence to regulatory requirements, departmental procedures and behavior management programs.
- H. The Juvenile Detention Center Director shall administer the grievance procedures for detainees and investigates complaints in accordance with guidelines and takes appropriate action.

SEVERABILITY CLAUSE. If any of the provisions of this ordinance are for any reason illegal or void, then the lawful provisions of this ordinance, which are separable 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.

REPEALER. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

EFFECTIVE DATE. This ordinance shall be in full force and effective after its final passage and publication as by law provided.

Moved by Sunderbruch, seconded by Holst a motion approving beer/liquor license renewals for Olathea Golf Course, Glynns Creek Golf Course and Davenport Country Club. All Ayes.

Moved by Sunderbruch, seconded by Kinzer that the following resolution be approved. Roll Call: All Ayes.

BE IT RESOLVED: 1) The Scott County Board of Supervisors approves for payment all warrants numbered 275119 through 275411 as submitted and prepared for payment by the County Auditor, in the total amount of \$1,424,606.76. 2) The Board of Supervisors approves for payment to Wells Fargo Bank all purchase card program transactions as submitted to the County Auditor for review in the amount of \$72,033.55. 3) This resolution shall take effect immediately.

Moved by Hancock, seconded by Earnhardt that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) That the Board of Supervisors does hereby proclaim our support for WVIK, Quad Cities NPR, the appreciation of our community for its outstanding programming and services, and our recognition of the indispensable role and position the station has in our community. 2) That the Board of Supervisors does hereby designate March 20-26, 2016 as Public Radio Week in our community. 3) This resolution shall take effect immediately.

Moved by Earnhardt, seconded by Kinzer a motion to adjourn. All Ayes.

Jim Hancock, Chair of the Board
Scott County Board of Supervisors

ATTEST: Roxanna Moritz
Scott County Auditor

*During the April 7, 2016 Regular Board Meeting, Supervisor Kinzer requested that the March 24, 2016 Board Meeting minutes include the following statement from him. "With our policy, I hope that we give the Sheriff, who has been elected four times, and the Department Heads, the latitude to submit the names and recognize those names of the 24 hour take home policy."

Scott County Board of Supervisors
April 5, 2016 8:00 a.m.

The Board of Supervisors met as a committee of the whole and pursuant to adjournment with Holst, Hancock, Earnhardt, Kinzer and Sunderbruch present.

Moved by Earnhardt, seconded by Kinzer at 9:55 a.m. a motion to adjourn. All Ayes.

Jim Hancock, Chair of the Board
Scott County Board of Supervisors

ATTEST: Roxanna Moritz
Scott County Auditor

Scott County Board of Supervisors
April 7, 2016 5:00 p.m.

The Board of Supervisors met pursuant to adjournment with Holst, Hancock, Earnhardt, Kinzer and Sunderbruch present. The Board recited the pledge of allegiance.

Moved by Sunderbruch, seconded by Holst approval of the minutes of the March 24, 2016 Regular Board Meeting and the minutes of the April 5, 2016 Committee of the Whole Meeting. Supervisor Kinzer requested that the March 24, 2016 Board Meeting minutes include the following statement from him. "With our policy, I hope that we give the Sheriff, who has been elected four times, and the Department Heads, the latitude to submit the names and recognize those names of the 24 hour take home policy." All Ayes.

Moved by Hancock, seconded by Earnhardt that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) The Scott County Board of Supervisors does hereby proclaim April 2016 as National County Government Month and encourage all county officials, employees, schools and residents to participate in county government celebration activities.

Moved by Earnhardt, seconded by Kinzer that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) That the purchase of precast Portland Cement Concrete beams be awarded to bidder, Oden Enterprises, Inc., Wahoo, Nebraska in the amount of \$56,743.42. The beams will be used to construct a 38' by 31'-2 bridge located on 97th Avenue over a Tributary to Mud Creek in Section 3 of Hickory Grove Township. 2) That this resolution shall take effect immediately.

Moved by Earnhardt, seconded by Sunderbruch that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) That the purchase of new signs in the amount of \$40,112.69 from Iowa Prison Industries, Anamosa, Iowa be approved. 2) That this resolution shall take effect immediately.

Moved by Earnhardt, seconded by Holst that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) That the approval for the purchase of the ID card access security system to include: card access for shop office (\$4,310.00), outside doors (\$1,690.00) and card access on gates (\$20,890.00) for a total cost of \$26,890.00 from Nightwatch Security be approved. 2) That this resolution shall take effect immediately.

Moved by Earnhardt, seconded by Sunderbruch that the following resolution be approved. Chairman Hancock requested a roll call vote. Hancock, Earnhardt, Sunderbruch voted Aye, while Holst and Kinzer voted Nay.

BE IT RESOLVED: 1) The Scott County Planning and Zoning Commission held a public hearing on January 12, 2016 to consider revisions to Chapter 2 of the Scott County Comprehensive Plan and the repeal and replacement of Chapter 6 of the Scott County Code to clarify certain definitions, procedures, and regulations of and within certain zoning districts, and to allow for the creation of an Industrial Floating Zone district. 2) The Scott County Planning and Zoning Commission also had a joint meeting with the Scott County Board of Adjustment and the Board of Supervisors on October 6, 2015 to discuss the revisions to the Comprehensive Plan and proposed Chapter 6 of the Scott County Code. 3) As stated when it was originally adopted in 2008, the Comprehensive Plan is not intended to be a static document but an active and dynamic Plan that will be regularly reviewed and updated. The proposed Comprehensive Plan amendments are intended to provide the rationale, purpose, and criteria for the creation of an Industrial Floating Zone. 4) The 2008 Comprehensive Plan also recommends regular review of the Zoning and Subdivision Ordinances to ensure compliance with the adopted plan. The intent of repealing and replacing Chapter 6 of the Scott County Code is to ensure the Zoning Ordinances are in compliance with the revised Comprehensive Plan, and to clarify, organize, and streamline the regulations therein. 5) The Board of Supervisors held its own public hearing on the revisions to the Comprehensive Plan and repeal and replacement of Chapter 6 of the Scott County Code on March 24, 2016. 6) The Board of Supervisors hereby adopts the revisions to Chapter 2 of the Scott County Comprehensive Plan and the repeal and replacement of Chapter 6 of the Scott County Code. 7) This resolution shall take effect immediately.

Moved by Earnhardt, seconded by Sunderbruch the first of three readings of an ordinance to repeal Chapter 6 of the Scott County Code and adopt a new Chapter 6. Roll Call: Hancock, Earnhardt, Sunderbruch voted Aye, while Holst and Kinzer voted Nay.

SCOTT COUNTY ORDINANCE NO. 16-
AN ORDINANCE TO REPEAL CHAPTER 6 OF THE SCOTT COUNTY CODE AND ADOPT A NEW CHAPTER 6 WHICH INCLUDES REGULATIONS TO ALLOW THE CREATION OF AN INDUSTRIAL FLOATING ZONE DISTRICT; REVISED DESCRIPTIONS OF THE GENERAL INTENT OF SOME ZONING DISTRICTS; CHANGES TO THE PERMITTED, ACCESSORY, AND SPECIAL USES PERMITTED IN SOME ZONING DISTRICTS; CLARIFICATION OF REGULATIONS FOR COMMUNITY AREA DEVELOPMENTS IN RURAL SCOTT COUNTY; AND CHANGES TO THE AREA, SETBACK, AND HEIGHT RESTRICTIONS OF PARTICULAR ZONING DISTRICTS
BE IT ENACTED BY THE BOARD OF SUPERVISORS OF SCOTT COUNTY, IOWA:
Section 1. Repeal all of Chapter 6, SCOTT COUNTY CODE, 2012.
Section 2. Adopt a new Chapter 6, SCOTT COUNTY CODE, which reads as follows:
Chapter 6

ZONING FOR UNINCORPORATED AREAS

6-1. TITLE

6-2. SCOPE AND PURPOSE

6-3. INTERPRETATION OF STANDARDS

6-4. FARM EXEMPTIONS

6-5. DEFINITIONS

6-6. GENERAL REGULATIONS AND PROVISIONS

6-7. NON-CONFORMING USES

6-8. ESTABLISHMENT OF DISTRICTS AND DISTRICT BOUNDARIES

ZONING DISTRICT REGULATIONS

6-9. "A-P" Agricultural-Preservation District.

6-10 "A-G" Agricultural-General District

6-11. "A-CSF" Agricultural-Commercial Service Floating District

6-12. "R-1" Single-Family Residential District

6-13. "R-2" Multi-Family Residential District

6-14. "CAD-R" Community Area Development Residential District

6-15. "CAD-PV" Community Area Development Park View Commercial District

6-16. "C-1" Neighborhood Commercial District

6-17. "C-2" Commercial and Light Industrial District

6-18. "I" Industrial District

6-19. "I-F" Industrial Floating District

6-20. "SW-F" Solid Waste Disposal Site Floating District

6-21. GENERAL PROVISIONS OF THE FLOODWAY, FLOODWAY FRINGE, AND FLOODPLAIN OVERLAY DISTRICTS

6-22. "FW" Floodway Overlay District

6-23. "FF" Floodway Fringe Overlay District

6-24. "GF" General Flood Plain Overlay District

6-25. MOBILE HOME PARK REGULATIONS

6-26. TRAVEL TRAILER PARK REGULATIONS

6-27. OFF STREET VEHICULAR PARKING REQUIREMENTS

6-28. SIGN AND BILLBOARD REGULATIONS

6-29. SITE PLAN REVIEW

6-30. ZONING BOARD OF ADJUSTMENT PROCEDURES

6-31. ZONING AMENDMENT PROCEDURES

6-32. COMMUNITY AREA DEVELOPMENT ADMINISTRATION

6-33. ZONING ADMINISTRATOR DUTIES

6-34. OCCUPENCY PERMITS

6-35. MUNICIPAL INFRACTION

6-36. VALIDITY AND SEVERABILITY

6-1. TITLE

This Chapter of the Scott County Code shall be known as the Zoning Ordinance for Unincorporated Scott County.

6-2. SCOPE AND PURPOSE

Except as may be hereinafter specified, no land, building, structure, or premises, hereafter shall be used and no structure may be located, constructed, extended,

converted, structurally altered or otherwise developed without full compliance with the terms of this Ordinance.

This Ordinance is hereby amended to carry out the objectives and policies of the Scott County Comprehensive Plan, 2008 with approved addendums and amendments, and Code of Iowa, Chapter 335 County Zoning, (2015). The more specific purposes of this Ordinance are to implement the Comprehensive Plan and to preserve the availability of agricultural land; to protect farming operations; to promote the protection of soil from wind and water erosion; to encourage sound economic development including the creation of employment opportunities and the growth of the County tax base; to encourage efficient urban development patterns; to promote energy conservation and the reasonable access to solar energy; to protect the health, safety, and the general welfare; to conserve property values and protect property rights; to conserve and protect our other natural resources; and to encourage the most appropriate use of land throughout the County.

6-3. INTERPRETATION OF STANDARDS

In the interpretation and application, the provisions of this Ordinance shall be held to be minimum requirements. Where this Ordinance imposes a greater restriction than is imposed or required by other provisions of law or by other rules, regulations, or restrictive covenants, the provisions of this Ordinance shall control.

All provisions of this Zoning Ordinance are intended to comply the terms, regulations and restrictions of the Code of Iowa, Chapter 21 Open Meeting Law, (2015).

For the purposes of this Ordinance, certain terms and words are hereby defined in Section 6-5. Words used in the present tense shall include the future, the singular number shall include the plural, and the plural number includes the singular; the words "shall," "must," and "will" are mandatory, the word "may" is permissive; the word "person" includes an individual, firm association, organization, partnership, trust, company, or corporation; the words "used" or "occupied" include the words "intended," "designed," or "arranged" to be used or occupied."

6-4. FARM EXEMPTIONS

A. Except to the extent required to implement Sections 6.21 through 6-24 (Floodplain Regulations), no regulation adopted under the provisions of this Ordinance shall be construed to apply to farm land, farm houses, farm barns, farm outbuildings, or other buildings or structures which are primarily adapted, by reason of nature and area for use for agricultural purposes, while so used.

(1) Agricultural buildings and land uses are not exempt from complying with any Federal, State, or local regulations concerning developing, depositing, or excavating in or on the designated Scott County Floodplain.

(2) It shall be the responsibility of any person or group claiming that certain property or buildings are entitled to exemption on the basis of this Section to demonstrate that the property and buildings are primarily adapted and used for agricultural purposes in accordance with the policies for determining such exemption established by the Scott County Comprehensive Plan.

B. A special exemption applies to certain matters regulated by the Iowa Utility Board. The exemption from complying with the ordinance applies to franchised electric transmission and gas/commodity pipe lines and associated structures and equipment. Exempted franchised utilities are urged to comply voluntarily with the zoning

requirements and Scott County Land Use Policies. This exemption does not include communications towers for telephone, cellular, and cable television companies, and other public and private towers as referenced in Section 6-9 D.(1) herein below.

6-5 DEFINITIONS

1. ACCESSORY BUILDING: A structure which is secondary or subordinate to the principal building on the same lot or tract and used for a permitted accessory use.
2. ACCESSORY PERMITTED USE: An activity which is secondary or subordinate to the principal use on the same lot or tract and serving a purpose customarily incidental to the use of the principal building or use of land.
3. ADULT: As used in this Ordinance, refers to persons who have attained the age of at least eighteen (18) years.
4. ADULT BOOKSTORE: An establishment having as a substantial or significant portion of its stock in trade, books, magazines, and other periodicals which are distinguished or characterized by their emphasis on matter depicting or describing or relating to "Specified Sexual Activities" or "Specified Anatomical Areas", (as defined below) or an establishment with a segment or section devoted to the sale or display of such material.
5. ADULT MOTION PICTURE THEATER: An enclosed building used predominately for presenting motion pictures, slides, or photographic reproductions distinguished or characterized by an emphasis on matters depicting, describing, or relating to "Specified Sexual Activities" or "Specified Anatomical Areas", (as defined herein) for observation by persons compensating the business therein.
6. AGRICULTURE: See Farming.
7. BASEMENT: A story having more than one-half (1/2) of its height below the average grade surrounding the building. A basement is not counted as a story for height regulation purposes. See also "lowest floor" definition for flood plain requirements.
8. BED AND BREAKFAST HOME: A private residence which provides lodging and meals for transient guests, in which the host or hostess resides and in which no more than four guest families are lodged at the same time and which, while it may advertise and accept reservations, does not hold itself out to the public to be a restaurant, hotel or motel, does not require reservations and serves food only to overnight guests and operates in compliance with applicable Iowa Code.
9. BILLBOARD: Any structure or portion of a building used for the display of advertising of a business or attraction which is not conducted on the premises upon which said billboard is located. Such off-premise advertising includes painted exterior walls with pictures, words, or logos and electronic message boards.
10. BUILDING: Any structure designed or intended for the support, enclosure, shelter or protection of persons, animals, or property, including mobile homes, but not including signs or billboards.
11. BUILDING, HEIGHT OF: The vertical distance from the average natural grade to the highest point of a flat roof, or the deck line of a mansard roof, or the average height of highest gable of a pitch or hip roof.
12. BUILDING OFFICIAL: The individual designated by the Board of Supervisors to review and inspect new construction and enforce the Scott County International Construction Codes.
13. BULK STORAGE PLANT: That portion of property where hazardous or flammable liquids or gases are received by pipeline, tank cars, or tank vehicles, and are stored in

bulk above the ground for the purpose of distributing such liquids or gases, where the aggregate capacity of all storage on the property exceeds twelve thousand (12,000) gallons.

14. **BUSINESS OR COMMERCIAL:** When used in this Ordinance, the term refers to engaging in the purchase, sale, or exchange of goods or services, or the operation of offices, services, recreational or amusement enterprises.

15. **CELLAR:** A portion of a building below the lowest floor which is not used for habitation. It may be a crawl space or storage space, if it complies with the Scott County Construction Codes. A cellar is not counted as a story for height regulation purposes. See also "lowest floor" definition for flood plain requirements.

16. **CHANNEL:** A natural or artificial watercourse of perceptible extent, with a definite bed and banks to confine and conduct continuously or periodically flowing water. Channel flow is that water which is flowing within the limits of a defined channel.

17. **CLINICS:** A building or buildings used by any licensed professionals, such as physicians, lawyers, counselors, dentists, chiropractors, and other public or private professions for the care of persons requiring such professional service; this does not include veterinary or animal clinics.

18. **CORN SUITABILITY RATING (CSR):** The most current official index for ranking the productivity of soils and their suitability for row-crop production in Iowa. The CSR system rates soils from five (5) to one hundred (100), with one hundred (100) reserved for those soils a) located in areas of the most favorable weather conditions in Iowa, b) that have high yield potential, and c) that can be continuously row cropped. (A detailed description of the CSR system, including methodology and CSR estimates for various soil types, may be found in publications of the Agricultural Extension Service, Iowa State University.)

19. **DAY NURSERY, NURSERY SCHOOL, OR DAY CARE (PUBLIC):** Any agency, institution, establishment, or place which provides supplemental parental care and/or educational work, other than lodging overnight, for seven (7) or more children of pre-school age for compensation.

20. **DEVELOPMENT:** Any man-made change to alter the existing land use of a parcel of land including and not limited to the construction of buildings or structures, mining, dredging, filling, grading, excavation or paving.

21. **DIRECTOR:** A term referring to the individual designated by the Board of Supervisors as the Zoning Administrator of the Department of Planning and Development or his/her designee who has responsibility for County zoning administration. This term is intended to refer to the responsibilities of this position in addition to that of being the principal administrative official for this ordinance.

22. **DISTRICT:** An area or section of unincorporated Scott County within which the regulations governing the use of buildings and property or the height and area of buildings are uniform.

23. **DISTRICT, FLOATING:** A zoning district established over an existing district, in so doing superseding the regulations of the underlying district with those of the floating district. The specific use(s) for which the floating zone is established, along with a detailed site plan showing how the property will meet County development standards for that use or uses is required prior to establishment of the particular floating district.

24. **DISTRICT, OVERLAY:** A zoning district established over an existing district, in so doing leaving the regulations of the underlying district in place and adding the additional regulations of the overlay district. The General Floodplain Overlay District which is established in Special Flood Hazard Areas is an example of an overlay district.
25. **DRIVEWAY:** A private drive providing access for vehicles and pedestrians to the property and/or the principal building or use from the adjacent road or street.
26. **DWELLING UNIT:** Any building or portion thereof having one or more habitable rooms which are designed to be occupied by one family with facilities for living, sleeping, cooking, eating, and sanitation. The dwelling unit shall be constructed in compliance with the Scott County Construction Codes or the U.S. Department of Housing and Urban Development Code under authority of 42 U.S.C., Sec. 5403, Federal Manufactured Home Construction and Safety Standards, whichever is applicable. A dwelling unit shall have a floor area of at least 640 square feet, have a minimum width of 20 feet for at least 75% of its narrowest dimension, and be placed on permanent foundation, and be taxed as real property.
27. **DWELLING, SINGLE-FAMILY:** A building designed for or occupied exclusively for residence purposes by one (1) family. These may be "Detached" so that the dwelling unit is the only one within the structure or "Attached" where there are two, but no more than two, dwelling units within a single structure. With an Attached Single-Family Dwelling each unit is considered a separate building under the provisions of the Scott County International Construction Code, the two units are separated by a common wall and there is a lot line which follows that common wall and extends to define two separate lots. (See also 6-6 H. "Zero Lot Line".)
28. **DWELLING, TWO-FAMILY (DUPLEX):** A building designed for or occupied by two (2) families only, with separate exterior entrances, housekeeping, cooking and sanitation facilities for each dwelling.
29. **DWELLING, TOWNHOUSE:** A single family dwelling unit constructed in a row of three or more attached units in which each unit extends from the foundation to the roof and with a yard or public access on at least two sides.
30. **DWELLING, MULTIPLE-FAMILY:** A building or buildings with three (3) or more dwelling units, with separate housekeeping, cooking and sanitation facilities for each unit. Building may be under one (1) title owner, or a separate title of ownership for each dwelling unit.
31. **EASEMENT:** A grant of one or more of the property rights by the owner to, or for the use by, the public, adjacent property owner, a corporation, or another person or entity.
32. **FAMILY:** One (1) or more persons occupying a single dwelling unit, provided that unless all are related by blood, marriage, or adoption, no such family shall contain over five (5) persons.
33. **FARM:** A tract of land primarily adapted and used for agricultural purposes and assessed as agricultural property.
34. **FARMING:** The science or art of producing agricultural products which involves cultivating the soil and producing crops for food, fiber, fuel or consumer products, or the raising of livestock for food or other consumer products. Farming does not include residential gardening or keeping of livestock for recreational or hobby purposes (See definition of "livestock", "kennel, commercial", "kennel, private", "stable, private", and "stable, public").

35. FARM BUILDING: An enclosed building or other structure primarily adapted and used for agricultural purposes located on a farm.
36. FARM HOUSE: A single-family residence located on a farm and occupied by a farmer.
37. FARMER: A person or persons actively engaged in farming or someone who is retired from farming when it relates to the land the farmer formerly farmed.
38. FARMSTEAD: The area of a farm containing a farm house(s) or an area that can be shown at one time to be the location of a farm house. The farmstead may also include farm buildings, other associated farm structures and adjacent service or yard areas along with any adjacent timber, shelter belts or pond areas of the farm.
39. FLOOD: A general and/or temporary rise in stream or river flow or flood stage that results in water overflowing its banks and inundating normally dry land areas adjacent to the channel, or from the unusual and rapid accumulation of runoff or surface waters from any source.
40. FLOOD ELEVATION: The elevation floodwaters would reach at a particular site during the occurrence of a specific flood.
41. FLOOD INSURANCE RATE MAP (F.I.R.M.): The official map prepared by the Federal Emergency Management Administration (FEMA) as a part of the Flood Insurance Study of a community, delineating both the special flood hazard areas and the risk premium zones applicable to such areas.
42. FLOOD INSURANCE STUDY: A study initiated, funded, and published by FEMA for the purpose of evaluating in detail the existence and severity of flood hazards; providing the County with the necessary information for adopting a flood plain zoning ordinance; and establishing actuarial flood insurance rates.
43. FLOOD PLAIN: Any land area susceptible to being inundated by water as a result of a flood; also referred to as Special Flood Hazard Area (SFHA).
44. FLOOD PLAIN MANAGEMENT: The operation of an overall program of correction and preventive measures for reducing flood damage and promoting the wise use of floodplains, including but not limited to, emergency preparedness plans, flood control works, floodproofing, and floodplain management regulations.
45. FLOODPROOFING: Any combination of structural and nonstructural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, mechanical equipment, structures and their contents.
46. FLOODWAY: The channel of a river or other watercourse and the adjacent land areas, which are reasonably required to carry and discharge flood waters or flood flows so that confinement of flood flows to the floodway area will not result in substantially higher flood levels and flow velocities.
47. FLOODWAY FRINGE: That area of the flood plain, outside of the floodway, that can be filled, leveled or otherwise obstructed without causing substantially higher flood levels or flow velocities.
48. GARAGE, PRIVATE: An enclosed structure intended for the parking of the private motor vehicles of the families residing upon the premises and accessory to the residence.
49. GARAGE, PUBLIC: Any commercial building on premises used for equipping, refueling, servicing, parking, repairing, selling, or storing motor-driven vehicles.

50. **GRADE:** The average level of the finished surface of the ground within five feet from the exterior walls of the building.
51. **GROUP HOUSING:** A building or place where lodging or boarding is provided for compensation or not; for five (5) or more individuals, but not open to transient guests as would be found in a motel/hotel. Normally associated with a charitable organization or government financed program to assist unique groups of people.
52. **HEALTH CARE FACILITY:** An establishment for provisions of care to persons suffering from illness, injury or disability and includes hospitals, custodial homes, nursing homes, convalescent homes, extended care facilities, and similar facilities.
53. **HEALTH CLUB:** A non-medical service establishment intended to maintain or improve the physical condition of paying customers and that has exercise and/or game equipment and facilities, steam baths, saunas, hot tubs, or similar equipment.
54. **HOME INDUSTRY:** An accessory use of a light industrial or commercial carried on entirely within the residence and/or an accessory building by a member of the family residing on the premises where there is no evidence, excluding permitted signage, of such occupation being conducted on the premises by virtue of exterior displays or unscreened outdoor storage, excessive noises, obnoxious odors, electrical disturbances or a significant increase in vehicular activity. A home industry shall comply with restrictions of Section 6-6.V.
55. **HOME OCCUPATION:** An accessory use carried on entirely within the residence by a member of the family residing on the premises where there is no evidence, excluding permitted signage, of such occupation being conducted on the premises by virtue of exterior displays or unscreened outdoor storage, excessive noises, obnoxious odors, electrical disturbances or a significant increase in vehicular activity. A home occupation shall comply with restrictions of Section 6-6.V.
56. **HOTEL:** An establishment which is open to any number of transient guests that provides sleeping quarters and private baths, maid service, and other services and facilities to assist the traveling public. In some cases, it may provide long-term housing to the public.
57. **INDUSTRIAL:** When used in this Ordinance, term refers to a use engaged in the basic processing and manufacturing of material or products predominately from extracted or new materials, or a use engaged in the storage of, or manufacturing processes using flammable or explosive materials, or storage or manufacturing processes that potentially involve hazardous or commonly recognized significant environmental impacts. Also uses involving the salvage dismantling, recycling, or re-manufacturing of materials, equipment or vehicles. These uses may include sizable areas for operations and storage of materials outside of an enclosed building.
58. **INDUSTRIAL, LIGHT:** When used in this Ordinance, term refers to a use conducted primarily within enclosed buildings engaged in the manufacture, predominantly from previously prepared materials, of finished products or parts, including processing, fabrication, assembly, treatment, packaging and a use engaged in warehousing, distribution, wholesale trade, and catalogue sales.
59. **INSTITUTION:** A building or use occupied or run by a government agency, non-profit organization, or institution of higher learning to serve the social, educational, charitable, and/or religious needs of the public.

60. JUNK OR SALVAGE YARD: An industrial site where metals, plastics, wood, appliances, equipment or vehicles and other discarded or salvaged materials are bought, sold, exchanged, baled, stored, packed, dis-assembled, or sorted for profit or not for profit. Includes the dismantling or wrecking of vehicles, appliances, machinery, or equipment and the dismantling, sorting and resale of building materials salvaged from building sites.

The visible presence of two (2) or more junk vehicles on any subdivision lot in a residential zoning district or three (3) or more junk vehicles on any parcel of land in an agricultural zoning district shall constitute prima facie evidence of a junk yard and is a violation of this Ordinance.

61. JUNK VEHICLE: A motorized vehicle including autos, trucks, motorcycles, race cars, etc., which does not have a current IDOT registration or has one of two following conditions: parts have been removed for re-use, salvage, or sale or the vehicle has not or been incapable of operating under its own power for more than 30 days.

62. KENNEL, COMMERCIAL: Any establishment where four or more dogs, cats, or other animals normally allowed outdoors, six months or older, are kept for breeding, boarding, grooming, selling, or training services in return for a consideration.

63. KENNEL, PRIVATE: A non-commercial kennel at a private residence where four (4) or more dogs, cats, or both, are kept for the hobby of the householder, as opposed to a commercial kennel. The keeper of a hobby kennel may keep up to ten adult dogs or cats per year and may raise and sell not more than fifteen (15) offspring during any calendar year before being considered a commercial kennel.

64. LIVESTOCK: Cattle, horses, sheep, swine, poultry, or any other animal or fowl which are produced primarily for food, fiber or other commercial purposes.

65. LOT: A parcel of land at least sufficient in size to meet minimum zoning requirements for use, coverage, and area to provide such yards and other open space as are herein required. Such lot shall have legal access to a public or private street and may consist of:

(a) A single lot of record for which the contract of purchase or deed has been recorded in the Office of the Recorder of Scott County, Iowa prior to April 2, 1981;

(b) A parcel of land described by metes and bounds, if created and recorded in the Recorder's Office prior to July 1, 1990; or

(c) A parcel described with a Plat of Survey approved by the Zoning Administrator and recorded in the Recorder's Office; or

(d) A parcel described by a landowner and rented to an individual, family, or corporation for residential or recreational purposes (such as river camp lots or mobile home lots), provided documentation of the rental agreement and continuous occupancy since April 2, 1981 can be shown.

If lots are combined or divided to form such a lot as described above, any residual lot or parcel created must meet the requirements of this Ordinance.

66. LOT AREA: Total horizontal area within lot lines.

67. LOT, CORNER: A lot abutting upon two (2) or more streets at their intersection.

68. LOT DEPTH: The mean horizontal distance between the front and rear lot lines.

69. LOT, DOUBLE-FRONTAGE: A lot having a frontage on two (2) non-intersecting streets, as distinguished from a corner lot. The yard opposite the direction the front of

the house is facing may have accessory buildings and structures, but still must meet the front yard setbacks.

70. LOT, INTERIOR: A lot other than a corner lot or double frontage lot.

71. LOT LINES: The lines bounding a lot, including the adjacent road right-of-way or easement line along the frontage. The front lot line separates the lot from the street right of way or road easement on which the lot fronts. In the case of a corner or double frontage lot all lot lines adjacent to street right of way or road easement shall be considered front lot lines. The rear lot line is opposite and most distant from the front lot line. In the case of an irregularly shaped lot, the rear lot line shall be the imaginary line parallel to and most distant from the front lot line at the point where the lot width is not less than ten feet. In the case of a corner lot, the rear lot line would be one of the lines parallel to one of the front lot lines and designated when a building permit is issued. A side lot line is any lot line that is neither a front nor a rear lot line. (Also see definition of Yard, Front, Rear, Side.)

72. LOT WIDTH: The width of a lot measured at the building line and at right angles to its depth.

73. LOWEST FLOOR: The floor of the lowest enclosed area in a building except when the following criteria are met:

- (a) The enclosed area is designed to flood to equalize hydrostatic pressure during flood with walls or openings that satisfy the provisions of the "FF" District; and
- (b) The enclosed area is unfinished (not carpeted, sheet rocked, or have other trim or interior finishes) and used solely for low damage potential uses such as building access, parking, and storage; and
- (c) Machinery and service facilities (e.g., hot water heater, furnace, electrical service) contained in the enclosed area are located at least one (1) foot above the 100-year flood level; and
- (d) The enclosed area is not a "basement" as defined above.

In cases where the lowest enclosed area satisfies criteria a, b, c, and d above, the lowest floor is the floor of the next highest enclosed area that does not satisfy the criteria above.

74. MASSAGE ESTABLISHMENT: Any establishment having a fixed place of business where massages are administered for any form of consideration or gratuity; including, but not limited to massage parlors, health clubs, sauna baths, and steam baths. Refer to Scott County Code Chapter 15 for details.

75. MANUFACTURED HOME: A factory-built structure, which is manufactured or constructed under the authority of 42 U.S.C., Sec. 5403 and is to be used as a place for human habitation as defined by a dwelling unit, but which is not constructed or equipped with a permanent hitch or other device allowing it to be moved other than for the purpose of moving to a permanent site, and which does not have permanently attached to its body or frame any wheels or axles. Any factory-built structure used for human habitation which does not meet all the above requirements is considered a mobile home and shall be regulated as a mobile home.

76. MOBILE HOME: Any vehicle, not registered as a motor vehicle in Iowa, used or so manufactured or constructed as to permit its being used as a conveyance upon the public streets

and highways and so designated, constructed, or reconstructed, as will permit the vehicle to be used as a place for human habitation by one (1) or more persons. A mobile home is not a manufactured home unless it has been converted to comply with the requirements as a manufactured home.

77. **MOBILE HOME PARK:** Any site, lot, or tract of land upon which two (2) or more occupied mobile homes are located.

78. **MOTEL:** An establishment which is open to any number of transient guests that provides sleeping quarters and private baths, maid service, and other services and facilities to assist the traveling public. In some cases, it may provide long-term housing to the public.

79. **NEW CONSTRUCTION:** Those structures or development for which the start of construction began on or after June 1, 1977 -the effective date of the initial Flood Insurance Rate Map.

80. **NON-CONFORMING USE:** Any building or land lawfully used at the time of the effective date of this Ordinance which does not conform after the effective date of this Ordinance with the use regulations of the District in which it is situated.

81. **ONE HUNDRED (100) YEAR FLOOD:** A flood which has the magnitude and statistical likelihood of occurring once every one hundred (100) years. There is a one in one hundred (1%) chance in any year for such a flood.

82. **PARKING SPACE:** A permanently surfaced area of not less than one hundred eighty (180) square feet plus necessary maneuvering space for the parking of a motorized vehicle. For handicapped parking, the space will not be less than required by State of Iowa Administrative Rules.

83. **PERMANENT FOUNDATION:** A site-built or site-assembled structure or system of stabilizing devices. It must be capable of transferring design dead loads and live loads required by Federal regulations and other design loads unique to local home sites, wind, seismic, soil, and water side conditions that may be imposed on the structure. The foundation shall be to a depth of not less than forty-two inches (42") below grade and constructed of materials approved by the adopted edition of the International Residential Code.

84. **PERMITTED USES:** Those uses expressly allowed, or permitted by right, in the zoning district(s) in which they are listed.

85. **PRINCIPAL USE:** The primary use of land or structure as distinguished from an accessory use.

86. **RIGHT-OF-WAY:** A type of easement reserved by a governmental agency giving it or the public the right to travel on, over, and under the area which is generally reserved for vehicular and pedestrian access to adjacent properties as well as the placement of public and private utilities and also including stormwater drainage.

87. **ROADSIDE STAND:** A temporary structure, unenclosed, and so designed and constructed that the structure is easily portable and can be readily moved. Used for the sale of farm products, primarily produced on the premises.

88. **SANITARY LANDFILL:** A site where solid wastes are disposed of by utilizing the principles of engineering to confine the solid waste to the smallest practical volume and to cover it with a layer of earth so that no nuisance or hazard to the public health is created.

89. **SEXUAL ACTIVITY ESTABLISHMENT (ADULT ENTERTAINMENT CENTER):** An establishment used for the display of live presentations distinguished or characterized by an emphasis on matter depicting or describing or relating to specified sexual activities or specified anatomical areas. Provided that the provisions of this section shall not apply to a theater, concert hall, art center, museum, or similar establishment, which is primarily devoted to the arts or theatrical performances, and which is not primarily devoted to presentations distinguished or characterized by an emphasis on matter depicting or describing or relating to specified sexual activities or specified anatomical areas.

90. **SIGN:** Any word(s), lettering, figures, emblems, pictures, trade names, or trademarks used by an individual, firm, or association, a corporation, a profession, a business, a service, a community, a church, or school and visible from any public street or right-of-way and designed to attract attention for commercial or non-profit purposes. This is not be to construed to include directional signs erected or required by governmental bodies, legal notices, signs bearing only property numbers or names of occupants on premises.

91. **SPECIAL PERMITTED USES:** Those uses which, due to their unique character/nature and potential impacts upon surrounding properties, are subject to approval by the Zoning Board of Adjustment in the zoning district(s) in which they are listed.

92. **SPECIFIED SEXUAL ACTIVITIES:** As used in this Ordinance, defined as: (a) human genitals in a state of sexual stimulation or arousal; (b) acts of human masturbation, sexual intercourse or sodomy; (c) fondling or other erotic touching of human genitals, pubic region, buttocks, or female breasts.

93. **SPECIFIED ANATOMICAL AREAS:** As used in this Ordinance, defined as: (a) less than completely and opaquely covered (1) human genitals, pubic region; (2) buttocks; and (3) female breasts below a point immediately above the top of the areola; and (b) human male genitals in a discernible turgid state, even if completely and opaquely covered.

94. **STABLE, PRIVATE:** A building or structure with four (4) enclosed walls used or intended to be used for housing horses belonging to the owner of the property, only for non-commercial purposes.

95. **STABLE, PUBLIC:** A building or structure used or intended to be used for the housing only of horses on a fee basis. Riding instruction may be given in connection with the public stable.

96. **START OF NEW CONSTRUCTION:** Includes substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, re-construction, placement or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on the site, such as the pouring of slab or footings, the installation of piers, the construction of columns, or any work beyond the stage of excavation, or the placement of a factory-built home on a foundation.

97. **STORY:** That portion of a building included between the surface of any floor and the surface of the floor above it, or, if there be no floor above it, then the space between the floor and the ceiling or roof next above it.

98. STREET: All land between right-of-way lines or road easement lines dedicated to a governmental unit or perpetually restricted to access. The definition includes the terms road, street, avenue, and highway, no matter how named, whether public or private, but does not include private driveways from a street to a house.

99. STRUCTURAL ALTERATIONS: Any replacement or change in the type of construction or in the supporting members of the building, such as bearing walls or partitions, columns, beams or girders, beyond ordinary repairs and maintenance.

100. STRUCTURE: Anything constructed or erected with a fixed location on the ground, attached to the ground, or which is attached to something having a permanent location on the ground, including, but not limited to buildings which require building permits, factory-built homes, billboards, or poster panels, storage tanks, or similar uses.

101. SUBDIVISION: The accumulative effect of dividing an original lot, tract, parcel of land or aliquot part, as of January 1, 1978, into three (3) or more lots (including the parent parcel) for the purpose of immediate or future sale, transfer or development purposes. The term includes a re-subdivision or re-platting. When appropriate to the context, the word may relate to the process of subdividing or the land subdivided.

102. SUBSTANTIAL DAMAGE: Flood damage sustained by a structure where the cost of restoring the structure to its prior condition would equal or exceed fifty (50) percent of the assessed value of the structure before the damage occurred.

103. SUBSTANTIAL IMPROVEMENT: Any repair, reconstruction, or improvement of a structure, the cost of which equals or exceeds fifty percent (50%) of the assessed value of the structure before the improvement or repair is started. For the purposes of this definition, "substantial improvement" is considered to occur when the first alteration affects the external dimensions of the structure. The term does not include, however, any project for improvement of a structure to comply with existing state or local health, sanitary, or safety code specifications which are solely necessary to assure safe conditions for the existing use.

104. TRAVEL TRAILER: A recreational vehicle, with or without motive power, designed as a temporary dwelling, not exceeding eight (8) feet in width and forty (40) feet in length, exclusive of separate towing unit. Such vehicles are customarily and ordinarily used for travel or recreational purposes and not used for permanent habitation.

105. TRAVEL TRAILER PARK (CAMP): An area licensed and used or offered for use in whole or in part, with or without charge, for the parking of occupied travel trailers, pickup campers, converted buses, motor homes, tent trailers, tents, or similar devices used for temporary, portable housing. Unoccupied mobile homes, travel trailers, and similar devices may be stored in the Park, but only in an area marked for storage. No repair, maintenance, sales, or servicing of such devices are allowed in the Park.

106. VEHICLE PARKING AND CIRCULATION AREAS: The areas on a lot or parcel where motor vehicles of customers, employees, visitors or building occupants park on a day to day basis. This includes all areas where vehicles are permitted to park, load and unload and circulate from the adjacent street or road to the building(s) or facilities on the property including, marked parking stalls, access lanes and driveways. All such areas must meet the Iowa Statewide Urban Design and Specifications (SUDAS) Chapter 12, Parking Lots, Sections 1-6.

107. VEHICLE STORAGE AREAS: The areas on a lot or parcel which access is limited and controlled by fencing, gates or other means where vehicles, equipment and other

materials are stored for extended periods of time. Such areas are not required to meet Iowa Statewide Urban Design and Specifications (SUDAS) Chapter 12, Parking Lots, Sections 1-6.

108. YARD: An open space on the same lot with a building, unoccupied and unobstructed by any portion of the structure from the ground upward, except as otherwise provided in this Ordinance. In measuring a yard for the purpose of determining the width, length, or depth, the least distance between the lot line and the nearest permitted building shall be used.

109. YARD, FRONT: A yard extending across the full width of the lot and measured between the platted street right-of-way line or roadway easement line and the principal building.

110. YARD, REAR: A yard extending across the full width of the lot and measured between the rear lot line and the building or any projections other than steps, unenclosed balconies, or unenclosed porches. On interior lots, the rear yard is opposite the front yard. On corner lots, the rear yard is designated at the time a building permit is issued and is one of the yards opposite one of the front yards (See definition of Lot Lines, Rear).

111. YARD, SIDE: A yard extending from the front yard to the rear yard and measured between the side lot lines and the nearest principal building.

112. ZONING ADMINISTRATOR: The individual assigned by the Board of Supervisors in accordance with Chapter 335, Iowa Code, with the sole responsibility to administer the Scott County Revised Zoning Ordinance in accordance with Chapter 6, County Code and Chapter 335, Iowa Code.

6-6. GENERAL REGULATIONS AND PROVISIONS

A. Agricultural Soils Protection: In compliance with the Scott County Comprehensive Plan, it is the intent of this Ordinance that the "R-1", "R-2", "C-1", "C-2", and "I" Zoning Districts not be established through rezoning of an "A-P" District, and that the rezoning of an "A-P" District to "A-G", "A-CSF", or "I-F" only be established through the provisions of this Ordinance and in compliance with a preponderance of the adopted land use policies contained in the Scott County Comprehensive Plan.

(1) The "A-P" District was originally developed using the Land Use Policies in the 1980 Scott County Development Plan. The A-P District is intended to protect highly productive soils and agricultural operations. Scott County uses the most current edition of the Soil Survey of the County as compiled from the National Resources Conservation Services (NRCS) of the U.S. Department of Agriculture. The County Board of Supervisors has established a Corn Suitability Rating (CSR) of sixty (60) or greater as a weighted average per quarter section of land and the soil types listed as Prime Farmland in the Soil Survey of Scott County for protection from urban development, unless it meets a preponderance of other adopted land use policies.

(2) An application for rezoning of an "A-P" District will result in an in-depth study of the soils characteristics and CSR for the land in the application by the Planning and Development staff and the Natural Resources Conservation Service. The Planning and Zoning Commission and the Board of Supervisors will use the soil analysis, land use

policies analysis, and public comments to make a decision on the rezoning request.

B. Splitting the Farmstead from Farm: When an application is submitted for approval of a Plat of Survey for a farmstead split, the farmstead shall be platted in accordance with all applicable provisions of the Iowa Code. The platted lot shall include the existing house or houses or an area that can be shown to be at one time the location of a farm house and be no larger than necessary to include the typical farm buildings as well as any yard, timber or pond area. Once the Plat of Survey is recorded neither the new lot nor the remaining farmland may be subsequently platted into smaller lots in violation of the Zoning and/or Subdivision Ordinance. Further subdivision would require that the land first be rezoned to an appropriate zoning district for the proposed intended use.

C. Disincorporation and Severance: Any additions to the unincorporated areas of the County resulting from the disincorporation of a municipality or a severance of a part of a municipality shall be automatically classified as an "A-G" Agricultural-General District until otherwise classified by the rezoning process.

D. Road or Public Way Vacation: Whenever any road, street, or other public way is vacated by official action of the Board of Supervisors of Scott County, the Zoning District adjoining each side of such road or public way shall be automatically extended to the center of such vacation and all area included in the vacation shall then and henceforth be subject to all appropriate regulations of the extended districts.

E. Intensity of Use: Any lot of record at the time of effective date of this Ordinance having less area, less lot width, or less setback spacing than herein required, may be used only for the purpose allowed by the zoning district, even though it does not meet the requirements of District area requirements. Such lots of record are granted small lot status and may have a minimum front yard setback of twenty-five (25) feet, a side yard setback of five (5) feet, and a minimum rear yard setback of ten (10) feet for the principal structure and five (5) feet for accessory structures.

F. Street Frontage Required: Any lot or tract used for residential purposes shall have at least twenty (20) feet of frontage on a public road or private road designed for the proposed residential use.

G. Front Yard Building Line: No portion of the principal building may extend into the front yard setback, except projections such as eave overhangs, steps, exterior balconies, and awnings. Porches and decks that are open and unenclosed may encroach into the front yard setback no more than twenty percent (20%) of the total setback distance. When fifty (50%) percent or more of lots with frontage on the same side of the road is improved with buildings that have observed a greater or lesser depth of front yard building line than specified in the district area regulations, then the front yard setback line may be the average of the two building setback lines previously established on either side of the lot in question. This regulation shall not be interpreted to require a front yard of more than one hundred (100) feet in any "R-1" or "R-2" District, nor more than seventy-five (75) feet in any "C-1", "C-2", or "I" District. When the street is curved, the building setback line shall be parallel to the curve of the street and setback the required distance.

H. Zero Lot Line: In residential districts, single-family attached dwellings, two-family dwellings and townhouses may be sited on a lot line in such a manner that the lot line runs the entire length of the common wall separating the dwelling units. The front and

rear yard setbacks shall be maintained, and the side yard for the end units shall conform to the district area regulations. In a "C-1" or "C-2" District, the building(s) may be sited on the side and/or rear yard lot line so long as the principal building is no closer than thirty-five (35) feet to a residential district or an adjoining residence lot line. Any new subdivision or resubdivision proposing the use of the zero lot line shall comply with the procedures of a site plan review by the Planning and Zoning Commission, as described in Section 6-29.

I. Height allowances for certain structures and appurtenances: Public buildings, hospitals, institutions, or schools, when permitted in a District, may be erected to a height not exceeding sixty (60) feet, and churches may be erected to a height not exceeding eighty (80) feet if the building is set back from each yard line at least one (1) foot for each foot of additional height above the height limit otherwise provided in the District in which the building is located.

The height of communication towers shall be reviewed and approved in conjunction with the Special Use Permit and approved using the criteria established in Section 6-30. The height of all structures and appurtenances for any development in the I or I-F zoning districts will be reviewed and approved at the time the zoning district is established in accordance with the applicable regulations.

J. Bulk and Solar Access: The area, setback, and height requirements of the district regulations are not to be construed to allow a building or structure on a lot or tract to block the access to the sky and sun on adjoining property. Each residential property shall have sufficient solar access to meet at least half of the energy requirements of the principal building, structure, or use.

K. Grading Plans Required: Prior to disturbing more than one acre of land for non-agricultural purposes, the owner/contractor shall submit grading plans and obtain approval of a Grading Permit. Such purposes include grading land to prepare land for future non-agricultural uses; clearing trees, bushes, and ground cover from conservation and rough lands; constructing roads for future areas of development; preparing a site for a pond (not for agricultural purposes); and any other non-agricultural development. The grading plan must be designed to keep annual soil loss to less than five (5) tons per acre and retain eighty percent (80%) of the sediment on-site. The plan must be submitted to and receive approval from the Department of Planning and Development with the technical advice of the Natural Resources Conservation Service. If no plan is received prior to disturbing the land, it will be treated as a zoning violation. The owner/contractor shall have seven (7) days to comply when notified of the violation. The applicant must also receive approval of the Iowa Department of Natural Resources Stormwater Discharge Permit prior to commencing any disturbance of greater than one acre. A copy of the State permit and plan must be filed with the Department of Planning and Development. Extraction operations are exempt from these regulations, but must comply with State Administrative rules.

L. Construction Permits to Comply with Zoning District Regulations: Prior to approval of any construction permit application in unincorporated Scott County, such application shall be reviewed for compliance with all applicable requirements of the Zoning Ordinance.

M. Buildings Moved onto Property: Prior to transporting a building having a size in excess of 120 square feet onto a lot or tract of land, the property owner or contractor

must obtain a building permit. After the building arrives on the property, the building permit holder must place the building on a permanent approved foundation within sixty (60) days, in accordance with the Scott County Construction Codes.

N. One Principal Building to a Lot: Every building hereafter erected or structurally altered shall be located on a lot, as defined herein, and in no case shall there be more than one (1) single-family residence or duplex on a single lot or tract of land except under the following conditions:

(1) An approved temporary mobile home on a farmstead or residential lot may be located on the same lot as the primary residence.

(2) A subordinate residence approved with a Special Use Permit or a second residence with an approved farmstead split created with a Plat of Survey.

(3) More than one (1) industrial, commercial, multi-family dwelling or institutional principal building may be erected on a single lot or tract, but all such buildings must be located in compliance with the setback requirements of the applicable district regulations.

O. Mobile Homes and Travel Trailers: Mobile Homes are only allowed in approved Mobile Home Parks, established through the provisions in Section 6-25; or under the provisions for legal temporary location outside of an approved Park, as provided for in Section 6-25.H.(15). Travel Trailers are only allowed in approved Travel Trailer Parks, established through the provisions in Section 6-26; as well as on a limited basis in approved Mobile Home Parks, as established through the provisions in Section 6-25. Under no other circumstances is a travel trailer to be used for occupancy or residence purposes when located outside of an approved Mobile Home or Travel Trailer Park unless a temporary mobile home permit has been approved for that particular location.

P. Basement or Cellar: A basement or cellar shall not be used for business or dwelling purposes unless it complies with the egress, ventilation, lighting and other applicable requirements of the Scott County Construction Codes.

Q. Subdivision Required: Any unplatted tract of land recorded as of January 1, 1978 that is repeatedly or simultaneously subdivided into three (3) or more parts shall have the plat of such subdivision approved by the Board of Supervisors as provided in the Scott County Subdivision Ordinance.

R. Water Supply and Sewage Disposal: Every residence, business, trade, or industry hereafter established, shall provide water supply and sewage disposal facilities which conform with the administrative rules of the Iowa Department of Health, the Well and Sewage Regulations of the Scott County Board of Health, and the Subdivision Ordinance.

S. Visual Clearance: In all Districts, no fence, hedge, vegetation, wall, sign, earth, or other obstruction shall be permitted which obstructs the clear view of approaching vehicles between three-and-one-half (3½') feet and fifteen (15') feet above the traveled portion of a public or private roadway or street. In subdivisions, the visual clearance shall be determined by the area within a triangle formed by the center of the intersection or the axis point of a road bend in excess of seventy (70) degrees and points one hundred (100) feet from the center of the intersection where measured along the centerlines of the road. The triangle for County roads, intersections, or road bends (arterials, collectors, local), which have adjacent residences, shall be from the center of the intersection or axis point one hundred fifty (150) feet along the centerlines of the

intersecting roads, except those areas which have been obtained by the Secondary Roads Department for a clear vision area.

T. Fences and Walls: Fences and walls will only be allowed which do not obstruct traffic visibility. Any non-farm fence or wall exceeding six feet in height shall obtain a building permit. Fences are prohibited in a road right-of-way. No fence may be constructed which obstructs the visibility of adjacent driveways, streets or road intersections. Any proposed fence which exceeds the height limits identified below shall be reviewed in accordance with the provisions and criteria for a Special Use permit established in Section 6-30

(1) In an "A-P", "A-G", "R-1", CAD-R, or "R-2" District, fences and walls are permitted within the limits of the side and rear yards to a maximum of six (6) feet in height. In a front yard a fence not exceeding three-and-one-half (3½) feet in height is permitted, unless it obstructs the visibility clearances of any adjacent driveway or street.

(2) In a "A-CSF", "CAD-PVC", "C-1", "C-2", "I", or "I-F" District, fences and walls are permitted within the limits of the side and rear yards to a maximum height of ten (10) feet. In a front yard a fence not exceeding three-and-one-half (3½) feet in height is permitted, unless it obstructs the visibility clearances of any adjacent driveway or street. In new developments, solid material fences will be constructed to surround outside storage of parts, supplies, refuse, and the like. No fences may be constructed which obstruct the visibility of road intersections

(3) In all cases, fences shall be constructed with the best side facing the neighboring land user. Best side is generally intended to mean paneling or other coverage of the fence framing members. Such coverage which occurs at a minimum on one-half of the side facing the neighboring property owner shall be considered in compliance with this "best side" requirement.

(4) Any exterior swimming pool with a design capacity of more than 5,000 gallons and a depth of greater than eighteen (18) inches shall obtain a building permit and have a continuous barrier, wall or fence of at least four (4) feet in height. All gates shall have an interior self-closing latch.

U. Accessory Buildings: Unless specified elsewhere in the Ordinance, these regulations shall apply to all accessory buildings in all zoning districts. Any accessory building shall meet the standards for permitted accessory uses for zoning district in which it lies, in addition to complying with the provisions of this Section.

(1) Any accessory building shall be located in a side or rear yard, and meet the setback requirements listed in the applicable district regulations. An accessory building(s) may be located in a front yard in cases where the accessory building meets or exceeds the minimum required front yard setback for principal buildings on the property. The provision allowing accessory buildings in front yards shall also apply to corner and double frontage lots with multiple front yards.

(a) Corner Lots: The above provision applies to corner lots – an accessory building may be allowed in any defined front yard of a corner lot so long as it meets or exceeds the required front yard setback for the principal building on the lot.

(b) Double Frontage Lots: As defined, a double frontage lot may have an accessory building(s) in the front yard as long as it meets or exceeds the required front yard setback for the principal building on the lot.

(2) Setback Requirements: The minimum required side and rear yard setback distance for accessory buildings shall be equal to the minimum required side yard setback for the principal building, structure, or use. For any lot of record or lot having less area, lot width or other required area dimensions, or less setback spacing than herein required at the time of effective date of this Ordinance, the minimum required rear and side yard setback distance for accessory buildings shall be no less than (5) feet.

(3) Area Coverage Restrictions: In complying with the accessory building regulations of this Section and Ordinance, no accessory building(s) or structure(s) shall occupy more than twenty percent (20%) of a property's total rear yard area.

(4) Additional Accessory Building Regulations:

(a) Mobile homes may not be classified or used as accessory buildings.

(b) No accessory building may contain or be used as a dwelling unit unless a second residence is approved with a Special Use Permit or a second residence is created with farmstead split by an approved Plat of Survey.

(c) Satellite antennas exceeding three (3) feet in diameter require a building permit. In residentially zoned areas (R-1, R-2, and CAD-R), satellite antennas of any size may not be located in a front yard, may not exceed the height of the peak of the house unless the building inspector determines there is no alternative, and limited to one (1) per lot or tract. Existing satellite antennas, as of the adoption date of this amendment, are exempted from this restriction.

(d) An accessory building may be built on the adjoining subdivision lot or tract, if both parcels are owned by the same individual, family, or firm, and the owner signs and records a "Restrictive Covenant and Agreement Not to Sever" in cooperation with the Department of Planning and Development.

(e) Any exterior swimming pool with a design capacity of greater than 5,000 gallons and a depth of greater than eighteen (18) inches shall be considered an accessory building and meet setback requirements.

V. Home Occupations and Home Industries: In A-P, A-G, R-1, R-2 and CAD-R home based businesses are permitted as an accessory use. Home Occupations and Home Industries as defined in Section 6-5 are allowed if in compliance with the following procedures and restrictions and other provisions of the regulations of the District in which such home based businesses are located. Proposed Home Occupations and Home Industries that exceed these conditions and restrictions shall be reviewed and may be approved in accordance with the provisions and criteria for a Special Use permit established in Section 6-30.

(1) The home business person shall apply in writing to the Zoning Administrator for approval of his/her home occupation or industry. The applicant shall provide information showing how the proposed business will comply with all of the restrictions stated within this subsection. If the application complies with the restrictions of this subsection, the Zoning Administrator will confirm the approval in writing to the applicant. For a home industry, the Zoning Administrator will also notify in writing landowners within 500 feet of the business facility of the approved home industry.

(2) The intent of these regulations is to allow businesses if they do not conflict or distract from adjacent landowners' use of their land or cause unnecessary damage to public roads. Therefore, the home occupation or home industry must be conducted entirely within the home if it is a home occupation or the home and/or accessory building if it is a

home industry, so there is no evidence, apart from permitted signage, of such business being conducted on the premises due to visible storage of materials, excessive noise, obnoxious odors, electrical disturbances, or considerable increase in vehicular traffic. Home industries are allowed in "A-P" and "A-G" and may include assembly, processing, fabrication, sale and repair of cars, light trucks, agriculture equipment and household appliances, warehousing and distribution, lawn service, contractors' equipment storage, and sales of products prepared on site. All hazardous wastes, by-products, and emissions must be stored and/or disposed of in conformance with Federal, State, and local regulations. The home industry facility must be located more than 500 feet from the nearest neighbor's residence, business or farming operation. Junk material and unassembled parts and equipment may be stored in the rear yard of a home industry if it is entirely enclosed with solid fence material, no larger than 1000 square feet in area, and not visible from adjoining properties or roads.

(3) The business shall provide no more than four (4) designated, yet inconspicuous parking spaces on the premises outside the road right-of-way. An application may be denied if the type of vehicular traffic using the County or private roads leading to the site will cause increased dust problems or damage to the road(s), as determined by the County Engineer and the Zoning Administrator.

(4) One advertising sign is permitted on the premises with the following requirements. The sign shall be:

- (a) Not larger than six (6) square feet in area for each sign face; and
- (b) Placed flat against any one side of the building; or
- (c) Posted within ten (10) feet of the building; or
- (d) Posted no closer than fifty (50) feet from the road right-of-way if the building is located behind the fifty (50) foot building setback line; and
- (e) Not illuminated.

(5) For home occupations, no more than one (1) non-resident employee is allowed. For home industries, the limit shall be four (4) non-resident employees, whether full or part-time. In addition, only four (4) employee vehicles are allowed on the site at one time and all on-site work must occur inside the home or accessory building(s).

(6) No more than twenty-five percent (25%) of the floor area of the residence may be devoted to the business in the home. For a home industry, no more than 2,400 square feet of accessory building may be devoted to the business.

6-7 NON-CONFORMING USES

General Intent: Within the districts established by this Ordinance or amendments that may later be adopted, there may exist lots, structures and uses of land and structures which were lawful before this Ordinance was passed or amended but which would be prohibited, regulated or restricted under the terms of this Ordinance or future amendments. It is the intent of this Ordinance to allow nonconforming uses to continue until their normal expiration, but subject to the nonconforming performance standards, also to encourage their removal.

A. A nonconforming use of land, a nonconforming use of a structure, or a nonconforming use of land and a structure in combination shall not be extended or enlarged after the date of the passage of this Ordinance, except for single family dwellings. A non-conforming use may continue so long as it remains otherwise lawful, subject to the following provisions:

(1) No such nonconforming use, except single family dwellings, shall be enlarged nor increased nor extended to occupy a greater area of land than was occupied at the effective date of adoption or amendment of this Ordinance.

(2) No such nonconforming use, except single family dwellings, shall be moved in whole or in part to any other portion of the lot or parcel occupied by such use.

(3) If any such nonconforming use of land ceases for any reason for a period of more than one (1) year, any subsequent use of such land shall conform to the regulations specified by this Ordinance for the district in which such land is located.

(4) No existing nonconforming use of a structure devoted to a use not permitted by this Ordinance in the District in which it is located, except a single-family residence, may be enlarged, extended, re-constructed, structurally altered, or re-established except in changing the use of the structure to a use permitted in the District in which it is located.

(a) The exception for single-family dwellings includes such dwellings located on farmstead parcels in agricultural zoning districts.

(b) The exception for single-family dwellings allows for the enlargement, extension, re-construction, alteration, and re-establishment of the use, but does not exempt any such structures from Section 6-7.B (following) regarding any nonconformity in physical location of such structures on a lot.

B. A nonconforming structure, by reason of restrictions on setbacks, area, lot coverage, height, yards or other characteristics of the structure or its location on the lot, shall not be extended or enlarged, except as herein provided, after the date of the passage of this Ordinance. Such structure may be continued for as long as it remains otherwise lawful, subject to the following provisions:

(1) No such structure may be enlarged, altered, or moved in a way that increases its nonconformity.

(2) Should such structure be destroyed by any means to an extent of more than fifty percent (50%) of its assessed value at the time of destruction, it shall not be reconstructed except in conformity with the provisions of this Ordinance.

(3) Nothing in this Ordinance shall prohibit the maintenance and repair of nonconforming structures to keep such a structure in sound and safe condition, provided that no structural enlargement, extension, alteration or change shall be made to increase the degree of nonconformity, and so long as the cost of the cumulative improvements of any such maintenance and repairs do not exceed fifty percent (50%) of the structure's assessed value.

C. Nonconforming Lots of Record

(1) In any district in which single-family dwellings are permitted, notwithstanding limitations imposed by other provisions of this Ordinance, a single-family dwelling and customary accessory buildings may be erected on any single lot of record at the effective date of adoption or amendment of this Ordinance. Such lot must be in separate ownership and not of continuous frontage with other lots in the same ownership.

(2) If two or more lots or combinations of lots and portions of lots with continuous frontage in single ownership are of record at the time of passage or amendment of this Ordinance, and if all or part of the lots do not meet the requirements for lot width and area as established by this Ordinance, the land involved shall be considered to be an undivided parcel for the purposes of this Ordinance, and no portion of said parcel shall

be used or sold which does not meet lot width and area requirements established by this Ordinance,

nor shall any division of the parcel be made which leaves remaining any lot width or area below the requirements stated in this Ordinance.

6-8. ESTABLISHMENT OF DISTRICTS AND DISTRICT BOUNDARIES

A. Establishment of Districts: In order to carry out the purpose and intent of this Ordinance and the Comprehensive Plan, the unincorporated area of Scott County, Iowa is hereby divided into Zoning District classifications, which supersede all earlier versions of the Official Zoning Map and established districts:

"A-P" Agricultural-Preservation District

"A-G" Agricultural-General District

"ACS-F" Agriculture Commercial Service Floating District

"R-1" Single-Family Residential District

"R-2" Multi-Family Residential District

"CAD-R" Community Area Development Residential District

"CAD-PVC" Community Area Development Park View Commercial District

"C-1" Neighborhood Commercial District

"C-2" Commercial and Light Industrial District

"I" Industrial District

"I-F" Industrial Floating District

"SW-F" Solid Waste Disposal Site Floating District

"FW" Floodway Overlay District

"FF" Floodway Fringe Overlay District

"GF" General Floodplain Overlay District

B. District Boundaries and Official Zoning Map: With the exception of the Flood Plain Overlay Districts, the boundaries of these Districts are indicated upon the Official Zoning Map of Scott County, Iowa; which map is made a part of this Ordinance by reference. The Official Zoning Map of Scott County, Iowa, and all the notations, references and other matters shown thereon shall be as much a part of this Ordinance as if the notations, references, and other matters set forth by said map were all fully described herein. The Official Zoning Map is known as the Digital Official Zoning Map, and shall be kept in the Scott County Information Technology database. The Map and amendments to it are kept current and on file in the office of the Scott County Zoning Administrator.

If in accordance with the provisions of this Ordinance, changes are made in the district boundaries or other matters portrayed on the Official Zoning Map, the ordinance number and date shall be recorded by the Zoning Administrator.

C. Interpretation of District Boundaries: In cases where the exact location of a district boundary (other than a Flood Plain Overlay District) is unclear as shown on the Official Zoning Map in the office of the Zoning Administrator, the boundaries indicated as approximately following streets and highways shall be construed to follow such center line; that boundaries indicated as approximately following platted lot lines or city limit boundaries; that boundaries indicated as following the center lines of rivers, streams, and creeks shall be construed to follow such center lines; that boundaries indicated as following railroad lines shall be construed to be midway between the main tracks, and that boundaries indicated as following section lines, quarter-section lines, or quarter-

quarter section lines shall be construed as following such lines. Distances not specifically indicated on the Official Zoning Map shall be determined by scaling the distance on the Map.

D. Flood Plain Overlay Map: The boundaries of the flood plain overlay districts shall be the same as shown on the Flood Insurance Rate Maps, which were issued by the Federal Emergency Management Agency. The Flood Insurance Rate Maps (FIRM) for Scott County and Incorporated Areas, dated February 18, 2011, which were prepared as part of the Scott County Flood Insurance Study, are hereby adopted by reference and declared to be the Official Flood Plain Zoning Map for unincorporated Scott County. The flood profiles and all explanatory material contained with the Flood Insurance Study are declared to be part of this ordinance. These maps are hereby adopted by reference as the Official Flood Identification Maps, together with the accompanying Flood Insurance Study and all explanatory material therein. These maps shall have the same force and effect as if they were all fully set forth or described herein. Subsequent amendments to these maps and Flood Insurance Study shall be adopted through the procedures established herein.

The flood plain overlay districts shall include the corresponding designated areas identified on the Flood Boundary and Floodway Map as indicated below:

"FW" The designated Floodway on Flood Boundary and Floodway Map.

"FF" The designated Floodway Fringe on Flood Boundary and Floodway Map.

"GF" The areas shown on Flood Boundary and Floodway Map as being within the approximate 100-year flood boundary, but for which the floodway and floodway fringe and base flood elevation were not determined by the Flood Insurance Study. The maps are available for review in the office of the Scott County Department of Planning and Development.

E. Interpretation of Flood Plain Map Boundaries: The boundaries of the Floodway (FW), Floodway Fringe (FF), and General Flood Plain (GF) Overlay Districts shall be determined by scaling distances on the Official Flood Identification Maps.

Where interpretation is needed to determine the exact location of the boundaries of the districts as shown on the maps, as for example where there appears to be a conflict between a mapped boundary and actual field conditions, the Zoning Administrator shall make the necessary interpretation. The regulatory flood elevation for the point in question, as reported in the Flood Insurance Study, shall be the governing factor in locating the district boundary on the land. Any person contesting the location of the district boundary shall be given a reasonable opportunity to present his case to the Board of Adjustment, as provided in Section 6-30, and to submit his own technical evidence if he/she so desires. Any person contesting the regulatory flood elevation data in the Flood Insurance Study shall submit technical evidence to the Iowa Department of Natural Resources for review. The findings of the Iowa Department of Natural Resources shall be the final determination as to the regulatory flood protection elevation for that location.

ZONING DISTRICT REGULATIONS

6-9."A-P" AGRICULTURAL-PRESERVATION DISTRICT

A. General Intent: The "A-P" Agricultural-Preservation District is intended and designed to protect agricultural operations and preserve agricultural land from encroachment of urban development. This District is not intended for residential uses or rural

subdivisions, except as provided through a valid farmstead split; nor for commercial or industrial uses, except as provided through the provision for overlay districts.

B. Principal Permitted Uses:

(1) Farms, farming, and farmhouses as defined in Section 6-5 Definitions. Generally farms, farm buildings, and farm houses, which are primarily adapted for agricultural purposes, are exempt from county zoning regulations (See Section 6-4 Farm Exemptions).

(2) Horticultural operations, including sod farms, tree nurseries, and wholesale plant nurseries.

(3) Public and private parks, forests, wildlife preserves, and conservation areas.

(4) Private horse stables providing that any such structure built to accommodate horses must be located in a side or rear yard if there is also a principal residence on the property.

(5) Franchised electric transmission and gas/commodity pipe lines and associated structures and equipment, including substations. All structures of the utilities which exceed 35 feet shall be located where disruption of agricultural, residential or commercial activity is minimized. The base of towers shall be located at least the distance of the height of the tower from any existing, and adjacent neighboring structure(s).

(6) Single-family homes on platted lots in existing subdivisions and auditor's plats, or on parcels of less than fifteen (15) acres in size, any of which have been recorded in the Scott County Recorder's Office, as of April 2, 1981, or a valid farmstead split from the surrounding farmland under the provisions of Section 6-6.B. Splitting the Farmstead from Farm.

C. Accessory Permitted Uses:

(1) Accessory uses customarily incidental to any principal use within this District. Only one commercial vehicle may be parked and/or stored on the property unless it is used in conjunction with an approved home business. Accessory uses not permitted include, but are not limited to, the following uses: the visible accumulation of domestic junk such as vehicular parts, tires, trailers, or salvaged building materials, broken or junk appliances, and other sorts of junk, salvage or debris covering more than 200 square feet of area (cumulative for individual properties). In staying within the allowable 200 square feet, no individual junk, salvage, or debris pile shall exceed six (6) feet in height. Two (2) or more junk vehicles on subdivision lots or three (3) or more junk vehicles on farmstead parcels shall also be a prohibited accessory use (See Section 6-5.61. Junk Vehicle). Any accessory commercial use which is not approved as a home business as outlined in Section 6-6.V. is not permitted.

(2) Home occupations and home industries in compliance with the requirement of Section 6-6.V.

(3) Roadside stands offering for sale primarily products grown on the premises. Such stands shall be removed during any season or period when they are not being used.

(4) Private kennel.

(5) Small wind generators with rated capacity of not more than 100 kilowatts and associated structures and equipment with the following restrictions:

- (a). The base of the structure shall be set back from all property lines and road easements a minimum distance equal to the height of the tower including rotor and/or blades;
- (b) The maximum height of the wind turbine generator shall be 80 feet;
- (c) The ground clearance for the rotors or blades shall be no less than fifteen (15) feet or one-third (1/3) the height of the tower whichever is greater;
- (d) The maximum noise level produced by the wind generator shall be no more than 50 decibels as measured at the property line.
- (e) The wind turbine shall not cause vibration perceptible beyond the property on which it is located nor interfere with television, microwave, navigational or radio transmission;
- (f) The wind turbine shall be constructed in accordance with plans prepared and stamped by registered professional engineer.

D. Special Permitted Uses: The following special uses may be permitted upon review by the Board of Adjustment in accordance with the provisions contained in Section 6-30.

(1) Communication towers and antennas, with the Board of Adjustment considering the following:

- (a) Any equipment cabinet or building shall be adequately screened from nearby residential uses;
 - (b) Co-location shall be preferred over new tower construction;
 - (c) The tower shall be removed when the use of the tower has ceased for one (1) year or greater.
 - (d) When the party establishing the use does not own the property on which it is to be constructed or installed, the applicant shall provide a signed lease agreement, which shall include provisions for decommissioning and removal of the tower and equipment at the end of the lease term or when the tower is no longer in use;
 - (e) The applicant shall provide documentation of compliance with any applicable regulations of the National Environmental Policy Act (NEPA), National Historic Preservation Act (NHPA), and/or the Federal Aviation Administration (FAA).
- (2) Sites for music events, sports events, commercial exhibitions and carnivals lasting no more than three continuous days per event and no more than six events per year.
- (3) County or municipal facilities.
- (4) Temporary asphalt and concrete mixing plants, where applicant can show that the plant will be temporary, will be completely removed when operations cease, will serve a clear public need, and will not disturb the adjoining property owners.
- (5) Extraction, primary material processing and removal of coal, stone, gravel, sand, clay, topsoil, or ores on more than two (2) acres of land. Such mining or extraction shall be in compliance with Chapter 208, 2015 Code of Iowa, if applicable. The Board of Adjustment will look to determine how the operation will minimize fugitive dust, protect hazardous areas from neighborhood children, protect farm ground with a CSR above 68 for future agricultural production, and locate only where County roads are adequate to handle the increased truck traffic. The applicant will submit a soil erosion control plan. Additional restrictions may apply if a permanent body of water is created. If the extraction of materials other than topsoil does not create a permanent water body, topsoil shall be stockpiled and returned to reclaim the land for future crop production once the operation ceases for more than one (1) year. Primary material processing shall not take place closer than 1,000 feet from an existing residential district or neighboring

- residence. Secondary material processing where raw material is sorted, graded, or mixed to make a commercial product is only allowed in an "I" Industrial District.
- (6) Public stables where the building and exercise yard is at least five hundred (500) feet from the closest neighboring residence or residential zoning district.
 - (7) Bed and breakfast homes.
 - (8) Education facilities (public and private schools) on less than five (5) acres of land.
 - (9) Solid waste transfer station provided the operation occurs on less than five (5) acres, is screened from the public, and is operated in conjunction with the Scott Area Solid Waste Management Commission.
 - (10) Private, non-commercial airstrips and helicopter landing zones, provided there are no obstructions to flight, the airstrip is no longer than 2,000 feet, and the use is compatible to neighboring land uses.
 - (11) One attached or detached dwelling unit subordinate to the existing dwelling unit, provided that the new dwelling unit meets all building and fire codes and zoning area and setback requirements, that there is unobstructed access to the new dwelling unit for emergency vehicles, and that the County Health Department approves the sewage and water systems.
 - (12) Commercial kennels and veterinary businesses but not nearer than five hundred (500) feet from any zoned residential district, incorporated boundary line or dwelling other than the lessee or owner of the site.
 - (13) Home occupations and home industries that exceed the requirement of Section 6-6.V. and reviewed under the procedures and criteria of Section 6-30.C. (2)
 - (14) Large wind generators with rated capacity of more than 100 kilowatts and associated structures and equipment with the following restrictions:
 - (a) The base of the structure shall be set back from all property lines and road easements a minimum distance equal to the height of the tower including rotor and/or blades.
 - (b) The maximum height of the wind turbine generator shall be 199 feet;
 - (c) The ground clearance for the rotors or blades shall be no less than 25 feet or 1/3 the height of the tower whichever is greater
 - (d) The maximum noise level produced by the wind generator shall be no more than 50 decibels as measured at the property line.
 - (e) The wind turbine shall not cause vibration perceptible beyond the property on which it is located nor interfere with television, microwave, navigational or radio transmission;
 - (f) Shall be constructed in accordance with plans prepared and stamped by a registered professional engineer.

E. Minimum Lot Area, Lot Width, Setback, & Maximum Height Requirements

Principal Building

Lot Area	Lot Width	Front Yard	Side yard	Rear Yard	Max Stories	Max Height
30,000 sq ft	100 ft	50 ft	10 ft	40 ft	2½	35 ft

Accessory Buildings

Lot Area	Lot Width	Front Yard	Side yard	Rear Yard	Max Stories	Max Height
N/A	N/A	50 ft	10 ft	10 ft	2	35 ft

6-10. "A-G" AGRICULTURAL-GENERAL DISTRICT

A. General Intent: The "A-G" Agricultural-General District is intended to act as a holding zone to protect agricultural operations and preserve agricultural land until a compatible

development proposal is approved through special use permits or rezoning. This District is not intended for residential uses or rural subdivisions, except as provided through a valid farmstead split. This District does allow for a limited number of public and private uses, such as churches and schools, as permitted uses. It also allows some commercial or industrial uses as provided through the provision for overlay districts.

B. Principal Permitted Uses:

- (1) Any use permitted in the "A-P" Agricultural-Preservation District.
- (2) Religious, charitable, philanthropic facilities including churches or other places of worship, parish houses, Sunday school buildings and bulletin boards.
- (3) Cemeteries.
- (4) Parks, playgrounds, golf courses, both public and private, recreational facilities for private, non-profit service organizations including, but not limited to, Boy and Girl Scout Camps and church camps.
- (5) Schools, both public and private educational institutions; preschool and day care facilities operating no more than 6 A.M. to 8 P.M. daily; providing that a single-family dwelling also may be co-located for use by the landowner or custodian.
- (6) Governmental buildings and facilities.

C. Accessory Permitted Uses:

- (1) Accessory uses customarily incidental to any principal use within this District, and also including any accessory uses permitted in an "A-P" District using the same restrictions.

D. Special Permitted Uses: The following special uses may be permitted in the "A-G" District upon review by the Board of Adjustment in accordance with the provisions contained in Section 6-30.

- (1) Any special use permitted in an "A-P" District.
- (2) Travel Trailer Parks established in accordance with Section 6-26.

**E. Minimum Lot Area, Lot Width, Setback, & Maximum Height Requirements
Principal Building**

Lot Area	Lot Width	Front Yard	Side yard	Rear Yard	Max Stories	Max Height
30,000 sq ft	100 ft	50 ft	10 ft	40 ft	2½	35 ft

Accessory Buildings

Lot Area	Lot Width	Front Yard	Side yard	Rear Yard	Max Stories	Max Height
N/A	N/A	50 ft	10 ft	10 ft	2	35 ft

6-11. "ACS-F" AGRICULTURAL COMMERCIAL SERVICE FLOATING DISTRICT

A. General Intent: The "ACS-F" Agriculture Commercial Service Floating District is intended and designed to serve the agriculture community by allowing agriculture commercial service development to locate in certain unincorporated areas. The site plan approval will occur in conjunction with the rezoning review and approval. The standards, criteria and conditions of approval will be applied, as deemed appropriate and applicable, during the rezoning review and approval process.

Any existing land zoned "A-F" Agriculture Service Floating Zone at the time and date of adoption of this Ordinance shall be classified as "ACS-F" Agriculture Commercial Service Floating District on the Official Zoning Map and may continue as the established use. Any re-occupancy, change in use or new development of such property would be subject to the review in accordance with the requirements of the "ACS-F" Agriculture Commercial Service Floating District.

B. Principal Permitted Uses:

- (1) Agriculture feed mixing and blending, seed sales, and grain handling operations.
- (2) Retail outlet for fertilizer and pesticides including mixing, blending and storage.
- (3) Storage and distribution of anhydrous ammonia.
- (4) Large animal veterinary businesses.
- (5) Livestock transfer station.
- (6) Livestock sale and auction barn.
- (7) Ag commodities and logistics businesses involving the local transportation of grain, feed, fertilizer, livestock, and other agricultural commodities.
- (8) Other agricultural commercial service uses which are determined by the Planning and Zoning Commission to be of a similar and compatible nature to the above uses.

C. Accessory Permitted Uses:

- (1) Accessory uses which are incidental, and determined by the Planning and Zoning Commission to be of a similar and compatible nature to the approved permitted use.

D. Special Permitted Uses: None.

E. Criteria for Land to be Rezoned "ACS-F":

- (1) The proposed facility shall be defined as including the buildings, improvements, maneuvering and parking area, and storage area which are graveled or paved. The facility must be located on a tract of ground where the main entrance to the facility is on or within 660 feet of a paved public road.
- (2) The entrance to the facility must have at least 1,000 feet line of sight in both directions on the public road. The County Engineer will approve the location of the main entrance in accordance with the Iowa Department of Transportation standards and specifics and Appendix I of the Scott County Subdivision Ordinance.
- (3) The separation spacing between the facility and any property line shall be at least 50 feet. The separation spacing to the closest neighbor's home and accessory buildings shall be at least 400 feet at time of application. The separation spacing to a residential zoning district shall be at least 400 feet.
- (4) The facility must not be located in a designated 100-year floodplain or within 200 feet of any river, stream, creek, pond, or lake or 400 feet of another environmentally sensitive area, park, or preserve.
- (5) The minimum lot size shall be one (1) acre.
- (6) Facility shall be surrounded by an adequate security system to deny public access to potentially hazardous areas.
- (7) Advertising signs shall not be larger than 100 square feet.
- (8) Underground storage shall not be allowed on site.

F. Procedure for Rezoning Parcel of Land to "ACS-F".

- (1) Developer/landowner shall apply to the Planning and Zoning Commission for approval of a specific development plan involving one of the principal permitted uses listed in paragraph "B" above. The Planning and Zoning Commission will hold a rezoning public hearing before making a recommendation to the Board of Supervisors.
- (2) Developer shall apply for and secure all required State and federal permits for the proposed development and provide copies of the application to the staff for review.
- (3) The Board of Supervisors will receive the Commission's recommendation plus information received during the Commission public hearing process and will hold a rezoning public hearing in accordance with Section 6-31.B.(3) Zoning Amendment

Procedures. Based on the Commission recommendation, County staff comments, a review of the required State permit applications, and comments from the applicant and the public, the Board may approve or deny the application. If approved, the conditions of site plan approval will be included with the ordinance changing the zoning.

If the applicant's application is adopted by the Board of Supervisors, the Zoning Administrator shall update the zoning map to show the specific location of the "ACS-F" district (including the separation spacing).

G. Minimum Lot Area, Lot Width, Setback, & Maximum Height Requirements

Principal Building

Lot Area	Lot Width	Front Yard	Side yard	Rear Yard	Max Stories	Max Height
1 acre	200 ft	50 ft	50 ft	50 ft	2	35 ft

Accessory Buildings

Lot Area	Lot Width	Front Yard	Side yard	Rear Yard	Max Stories	Max Height
N/A	N/A	50 ft	50 ft	50 ft	2	35 ft

6-12. "R-1" SINGLE-FAMILY RESIDENTIAL DISTRICT

A. General Intent: The "R-1" Single-Family District is intended and designed to provide for the development of both low and medium density single-family subdivisions in the rural areas. All such subdivisions shall comply with the Scott County Subdivision Ordinance. This District is not intended for commercial uses. Any land rezoned to "R-1" shall be located on adequately constructed and paved County/State roads.

B. Principal Permitted Uses:

(1) Detached single-family dwellings. For lots of record the dwelling unit is subject to the setback regulations for lots of record in Section 6-6.E.

(2) Farms, farming and farmhouses (See Section 6-5 Definitions). Generally farms, farm buildings and farmhouses, which are primarily adapted for agricultural purposes, are exempt from County zoning regulations. (See Section 6-4 Agricultural Exemptions).

(2) Developmentally disabled group homes in compliance with Chapter 335.25 Code of Iowa (2015).

(4) Public and private parks and public and private conservation areas, but not to include commercial recreational uses.

C. Accessory Permitted Uses:

(1) Accessory uses customarily incidental to any of the permitted uses in this District. Only one commercial vehicle may be parked and/or stored on the property unless it is used in conjunction with an approved home business. Accessory uses not permitted include, but are not limited to, the following uses: the visible accumulation of domestic junk such as vehicular parts, tires, trailers, salvaged building materials, broken or junk appliances, and other sorts of junk, salvage or debris covering more than 100 square feet of area (cumulative for individual properties). In staying within the allowable 100 square feet, no individual junk, salvage or debris pile shall exceed six (6) feet in height. Two (2) or more junk vehicles on subdivision lots shall also be considered a prohibited accessory use (See Section 6-5.61. Junk Vehicle). Any accessory commercial use which is not approved as a home business as outlined in Section 6-6.V. is not permitted.

(2) Stables (private) providing they have stalls and feed for every horse and are located at least fifty (50) feet from a property line. The stable and exercise area must be located on a lot of at least one (1) acre, be located in the rear yard, and be screened from adjoining residential lots.

(3) Farm animals and poultry on residential lots, but only if adequately fenced or controlled, not to exceed one (1) feeder cattle per acre, one (1) mature dairy cow per 1.4 acres, two and a half (2-1/2) swine (over 55 lbs.) per acre, ten (10) sheep or lambs per acre, and fifty-five (55) turkeys and chickens per acre, or any combination that does not exceed the above animal unit multiplier. Such accessory uses must be operated to meet County Health standards. More restrictive deed restrictions supersede the above standard.

(4) Accessory utility services and equipment for use by adjacent properties.

(5) Home occupations in compliance with the requirements of Section 6-6.V.

(6) Private kennels.

D. Special Permitted Uses: The following special uses may be permitted in the "R-1" District upon review by the Board of Adjustment in accordance with the provisions contained in Section 6-30.

(1) Two-family dwelling units with a minimum lot size of thirty thousand (30,000) square feet.

(2) Townhouse dwelling units with a minimum lot size of fifteen thousand (15,000) square feet per unit.

(3) Schools, public and private educational institutions, plus a single-family dwelling, being subordinate to, and inhabited by an official from the educational use.

(4) Churches or other places of worship, including parish house, Sunday school building, and bulletin boards.

(5) Roadside stands for seasonal sale of fruits and vegetables grown on the premises. Such stands shall be removed or secured during any season or period when they are not in use.

(6) Franchised utility substations, including any mechanical buildings.

(7) Preschools and day care facilities in the home, operating only between the hours from 6 A.M. to 8 P.M. daily.

(8) Bed and breakfast homes.

(9) Home occupations that exceed the requirements of Section 6-6.V. and reviewed under the criteria of Section 6-30.C.(2).

(10) Small wind generators with the rated capacity of not more than 100 kilowatts and associated structures and equipment with the following restrictions:

(a) The base of the structure shall be set back from all property lines and road easements a minimum distance equal to the height of the tower including rotor and/or blades.

(b) The maximum height of the wind turbine generator shall be 80 feet;

(c) The ground clearance for the rotors or blades shall be no less than fifteen (15) feet or one-third (1/3) the height of the tower whichever is greater

(d) The maximum noise level produced by the wind generator shall be no more than 50 decibels as measured at the property line.

(e) The wind turbine shall not cause vibration perceptible beyond the property on which it is located nor interfere with television, microwave, navigational or radio transmission;

(f) Shall be constructed in accordance with plans prepared and stamped by a registered professional engineer.

E. Minimum Lot Area, Lot Width, Setback, & Maximum Height Requirements
Principal Building

Lot Area Lot Width Front Yard Side yard Rear Yard Max Stories Max Height
30,000 sq ft 100 ft 50 ft 10 ft 40 ft 2½ 35 ft

Accessory Buildings

Lot Area Lot Width Front Yard Side yard Rear Yard Max Stories Max Height
N/A N/A 50 ft 10 ft 10 ft 2 35 ft

6-13. "R-2" MULTI-FAMILY RESIDENTIAL DISTRICT

A. General Intent: The "R-2" Multi-Family Residential District is intended and designed to provide areas for mixed residential development, including single-family, two-family, and multiple-family dwellings. Any proposed two-family and multiple-family developments will require site plan review in conjunction with the subdivision review. It is intended that this District will be permitted only where common water supply and sewage collection and disposal systems are available. Multiple family dwellings will only be permitted on adequately paved roads where fire protection is readily available.

B. Principal Permitted Uses:

- (1) Single-family dwellings.
- (2) Two-family dwellings.
- (3) Multiple-family dwellings.
- (4) Farms, farming and farmhouses as defined in Section 6-5 Definitions. Generally farms, farm buildings and farmhouses, which are primarily adapted for agricultural purposes, are exempt from County zoning regulations. (See Section 6-4 Agricultural Exemptions).
- (5) Group housing with a minimum lot area of one (1) acre.
- (6) Health Care Facility, to include nursing homes and elder care facilities, with a minimum lot area of one (1) acre.

C. Accessory Permitted Uses:

- (1) Accessory uses customarily incidental to any principal use within this District, and also including any accessory uses permitted in an "R-1" District using the same restrictions.

D. Special Permitted Uses: The following special uses may be permitted in the "R-2" District upon review by the Board of Adjustment in accordance with the provisions contained in Section 6-30.

- (1) Any special permitted use allowed in "R-1" District using the same restrictions.
- (2) Mobile Home Parks established in accordance with Section 6-25.
- (3) Travel Trailer Parks established in accordance with Section 6-26.

E. Minimum Lot Area, Lot Width, Setback, & Maximum Height Requirements

Principal Building

Lot Area Lot Width Front Yard Side yard Rear Yard Max Stories Max Height
1 or 2 family

10,000 sq ft 100 ft 25 ft 10 ft 20 ft 2½ 35 ft

Per unit

Multi-family

10,000 sq ft 200 ft 25 ft 15 ft 25 ft 3 45 ft

Plus 5,000 sq ft

Per unit

Accessory Buildings

Lot Area Lot Width Front Yard Side yard Rear Yard Max Stories Max Height

N/A N/A 50 ft 10 ft 10 ft 2 35 ft

6-14. "CAD-R" COMMUNITY AREA DEVELOPMENT RESIDENTIAL DISTRICT

A. General Intent: The "CAD-R" Community Area Development Residential District is intended and designed to establish the regulations covering the residential areas of the two established CADs in Scott County, Village Oaks and Park View. In the areas shown as "Townhouses" and "Apartments" on the official colored master plan of 1966 entitled "Park View Scott County, Iowa" or any amendment thereto, the permitted uses, accessory uses and special permitted uses shall be the same as the "R-2" District, unless specified differently elsewhere in the Ordinance.

B. Principal Permitted Uses:

(1) Single-family dwellings as shown on the approved Park View CAD Plan, 1966, as amended.

(2) Townhouses and Apartments as shown on the approved Park View CAD Plan, 1966, as amended.

(3) Churches and Schools as shown on the approved Park View CAD Plan, 1966, as amended.

(4) Parks and Open Space as shown on the approved Park View CAD Plan, 1966, as amended.

C. Accessory Permitted Uses:

(1) Accessory uses customarily incidental to any of the permitted uses in this District. Only one commercial vehicle may be parked and/or stored on the property unless it is used in conjunction with an approved home business. Accessory uses not permitted include, but are not limited to, the following uses: the visible accumulation of domestic junk such as vehicular parts, tires, trailers, salvaged building materials, broken or junk appliances, and other sorts of junk, salvage or debris covering more than 100 square feet of area (cumulative for individual properties). In staying within the allowable 100 square feet, no individual junk, salvage or debris pile shall exceed six (6) feet in height. Two (2) or more junk vehicles on subdivision lots shall also be considered a prohibited accessory use (See Section 6-5.60. Junk Vehicle). Any accessory commercial use which is not approved as a home business as outlined in Section 6-6.V. is not permitted.

(2) Home occupations in compliance with the requirements of Section 6-6.V.

(3) Private kennels.

D. Special Permitted Uses: The following special uses may be permitted in any established "CAD-R" District upon review by the Board of Adjustment in accordance with the provisions contained in Section 6-30.

(1) Home occupations that exceed the requirements of Section 6-6.V. and reviewed under the criteria of Section 6-30.C.(2)

E. Minimum Lot Area, Lot Width, Setback, & Maximum Height Requirements

Principal Building

Park View

Lot Area Lot Width Front Yard Side yard Rear Yard Max Stories Max Height
8,000 sq ft 80 ft 25 ft 5 ft 15 ft 2½ 35 ft

Village Oaks

Lot Area Lot Width Front Yard Side yard Rear Yard Max Stories Max Height
30,000 sq ft 100 ft 50 ft 10 ft 40 ft 2½ 35 ft

Accessory Buildings

Park View

Lot Area Lot Width Front Yard Side yard Rear Yard Max Stories Max Height
N/A N/A 25 ft 5 ft 5 ft 2 35 ft

Village Oaks

Lot Area Lot Width Front Yard Side yard Rear Yard Max Stories Max Height
N/A N/A 50 ft 10 ft 10 ft 2 35 ft

6-15. "CAD-PVC" COMMUNITY AREA DEVELOPMENT PARKVIEW COMMERCIAL DISTRICT

A. General Intent: The "CAD-PVC" Community Area Development Park View Commercial District is intended and designed to establish the regulations in areas designated "Commercial," "Office," or "Shopping Center" on the official colored master plan of 1966 entitled "Park View Scott County, Iowa" or any amendment thereto. The district is intended to serve the commercial, retail, office, and service needs of Park View residents and rural Scott County. It is not intended for light industrial or residential uses.

B. Principal Permitted Uses:

(1) Neighborhood retail commercial services, including but not limited to:

- a. Retail sales and service businesses, including convenience stores with fuel sales, car washes, but no vehicle repair, painting or auto body work;
- b. Restaurants and drinking establishments;
- c. Financial institutions such as banks and savings and loan offices;
- d. Professional, administrative, service and general business offices;
- e. Medical offices, clinics and health care related facilities;
- f. Indoor recreational or entertainment businesses;
- g. Other uses, subject to site plan review, which are determined by the Planning and Zoning Commission to be of a similar and compatible nature to the above uses.

(2) Schools, public and private educational institutions, preschools and day care facilities.

(3) Churches or other places of worship, including parish house, Sunday school building, and bulletin boards.

C. Accessory Permitted Uses: Accessory uses customarily incidental to any allowed use within the district.

D. Special Permitted Uses: None.

E. Minimum Lot Area, Lot Width, Setback, & Maximum Height Requirements

Principal Building

Lot Area Lot Width Front Yard Side yard Rear Yard Max Stories Max Height
20,000 sq ft 130 ft 25 ft 5 ft 15 ft 3 35 ft

Accessory Buildings

Lot Area Lot Width Front Yard Side yard Rear Yard Max Stories Max Height
N/A N/A 25 ft 5 ft 5 ft 2 35 ft

6-16. "C-1" NEIGHBORHOOD COMMERCIAL DISTRICT

A. General Intent: The "C-1" Neighborhood Commercial District is intended and designed to provide for areas for office/commercial, commercial/service and retail businesses that serve the local community and are generally limited in size and scope. Such Districts will only be permitted on adequately constructed paved County/State roads.

B. Principal Permitted Uses:

(1) Farms, farming and farmhouses as defined in Section 6-5 Definitions. Generally farms, farm buildings and farmhouses, which are primarily adapted for agricultural purposes, are exempt from County zoning regulations. (See Section 6-4 Agricultural Exemptions).

(2) Dwelling units which are physically a part of, and subordinate to, a retail, office or service establishment, and which meet all County Health Department requirements.

(3) Neighborhood Retail Commercial Uses, in buildings not exceeding 5,000 square feet of floor area and without outdoor storage of materials, including but not limited to:

a. Retail sales and service businesses, including convenience stores with fuel sales, car washes, but no vehicle repair, painting or auto body work;

b. Restaurants and drinking establishments;

c. Financial institutions such as banks and savings and loan offices;

d. Professional, administrative, service and general business offices;

e. Medical offices, clinics and health care related facilities;

f. Indoor recreational or entertainment businesses;

g. Other uses, subject to site plan review, which are determined by the Planning and Zoning Commission to be of a similar and compatible nature to the above uses.

(4) Franchised utility substations, including any mechanical buildings.

C. Accessory Permitted Uses: Accessory uses customarily incidental to any allowed use within the District.

D. Special Permitted Uses:

(1) Schools, public and private educational institutions, and preschools and day care facilities

(2) Churches or other places of worship, including parish house, Sunday school building, and bulletin boards

(3) Bed and Breakfast homes.

E. Minimum Lot Area, Lot Width, Setback, & Maximum Height Requirements

Principal Building

Lot Area Lot Width Front Yard Side yard Rear Yard Max Stories Max Height

No sewer or water

1 acre 130 ft 25 ft 10 ft 20 ft 3 35 ft

W/sewer or water

20,000 sq ft 80 ft 25 ft 10 ft 20 ft 3 35 ft

Accessory Buildings

Lot Area Lot Width Front Yard Side yard Rear Yard Max Stories Max Height

N/A N/A 25 ft 10 ft 10 ft 2 35 ft

6-17. "C-2" COMMERCIAL AND LIGHT INDUSTRIAL DISTRICT

A. General Intent: The "C-2" Commercial and Light industrial District is intended and designed to provide areas for general commercial, highway commercial and light industrial uses intended to serve the needs of the County and the Quad Cities in areas along adequately constructed paved County/State roads.

B. Principal Permitted Uses:

(1) Any principal permitted use in the "C-1" District using the same restrictions.

- (2) Retail and wholesale commercial sales and service businesses including outdoor storage of materials and equipment, with all outdoor storage screened from any adjacent road and residences.
 - (3) Financial institutions such as banks and savings and loan offices.
 - (4) Professional, administrative, service and general business offices.
 - (5) Medical office, clinics and health care related facilities.
 - (6) New and used vehicle sales and service including service and body shops but not including parts salvage or vehicle dismantling.
 - (7) Truck stops, truck terminals and trucking companies.
 - (8) Restaurants, drinking establishments and night clubs.
 - (9) Hotel-motel and tourist related service businesses.
 - (10) Indoor and outdoor recreational and entertainment businesses.
 - (11) Adult bookstores, adult video stores, adult motion pictures theaters, and sexual activity establishments subject to the following conditions:
 - a. Location: These uses shall not be located within one thousand (1000) feet of each other; not within one thousand (1000) feet of any public or private school, licensed day care facility, church, public park or residential district and not within five hundred (500) feet of any existing dwelling.
 - b. Restrictions: Sexual activity establishments shall not allow touching as defined in specified sexual activities between employees and between employees and patrons. All building openings, entries, windows, etc., for any of the above uses, shall be located, covered, or screened in such a manner to prevent a view into the interior from any public or semi-public areas and such display shall be considered as signs. Any of the above activities which do not conform to the provisions set forth in this subparagraph shall be considered in violation of this Ordinance.
 - (12) Light industrial uses conducted entirely within an enclosed building and no excessive noise, dust and smoke beyond the property and all outdoor storage screened from any adjacent road and residences.
 - (13) Contractor office, storage and sales with all outdoor storage of equipment and materials screened from any adjacent road and residences.
 - (14) Warehouse, storage, rental business and services with all outdoor storage screened from any adjacent road and residences.
 - (15) Other uses, subject to site plan review which are determined by the Planning and Zoning Commission to be of a similar and compatible nature to the above uses.
- C. Accessory Permitted Uses:
- (1) Accessory uses customarily incidental to any permitted principal use within this District; including dwelling units physically attached and subordinate to such use, and which meet all County Health Department requirements.
- D. Special Permitted Uses:
- (1) Airport or commercial landing fields, for commercial and private aircraft and helicopters
 - (2) Communication towers and antennas, with the Board of Adjustment considering the following:
 - (a) Any equipment cabinet or building shall be adequately screened from nearby residential uses;
 - (b) Co-location shall be preferred over new tower construction;

(c) The tower shall be removed when the use of the tower has ceased for one (1) year or greater.

(d) When the party establishing the use does not own the property on which it is to be constructed or installed, the applicant shall provide a signed lease agreement, which shall include provisions for decommissioning and removal of the tower and equipment at the end of the lease term or when the tower is no longer in use;

(e) The applicant shall provide documentation of compliance with any applicable regulations of the National Environmental Policy Act (NEPA), National Historic Preservation Act (NHPA), and/or the Federal Aviation Administration (FAA).

(4) Mobile Home Parks established in accordance with Section 6-25.

(5) Travel Trailer Parks established in accordance with Section 6-26.

E. Minimum Lot Area, Lot Width, Setback, & Maximum Height Requirements

Principal Building

Lot Area	Lot Width	Front Yard	Side yard	Rear Yard	Max Stories	Max Height
----------	-----------	------------	-----------	-----------	-------------	------------

No sewer or water

2 acre	130 ft	50 ft	10 ft	20 ft	3	45 ft
--------	--------	-------	-------	-------	---	-------

W/sewer or water

1 acre	130 ft	50 ft	10 ft	20 ft	3	45 ft
--------	--------	-------	-------	-------	---	-------

W/sewer & water

20,000 sq ft	100 ft	25 ft	10 ft	20 ft	3	45 ft
--------------	--------	-------	-------	-------	---	-------

Accessory Buildings

Lot Area	Lot Width	Front Yard	Side yard	Rear Yard	Max Stories	Max Height
----------	-----------	------------	-----------	-----------	-------------	------------

N/A	N/A	50 ft	10 ft	10 ft	2	35 ft
-----	-----	-------	-------	-------	---	-------

6-18. "I" INDUSTRIAL DISTRICT

A. General Intent: The "I" Industrial District is intended and designed to provide areas for industrial and/or commercial development of a more intense character. Prior to establishment of any such district adequate information shall be submitted regarding the effect of the proposed use on the adjoining property and area, the adequacy of the County road system to handle the anticipated traffic, any potential traffic hazards, 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. This district is intended to accommodate industrial uses other than those requiring an Industrial Floating Zone, and is intended to be established through the rezoning of existing commercial, industrial, or Agricultural General ("A-G") holding zone districts, excluding the Park View Commercial District ("CAD-PV"). It is not intended that this district be established through the rezoning of any existing residential district.

Any existing land zoned "M" Heavy Manufacturing at the time and date of adoption of this Ordinance shall be classified as "I" Industrial District on the Official Zoning Map and may continue as the established use. Any re-occupancy, change in use or new development of such property would be subject to the review and approval of a site plan in accordance with the regulations of Section 6-29 Site Plan Review.

B. Principal Permitted Uses: A building or premises may be used or occupied for a variety of purposes; provided the regulations listed in the following subsections are met:

(1) Any permitted use in the "C-2" District.

(2) Asphalt plants.

- (3) Bulk tank storage plant facilities and other raw materials storage yards exceeding ten (10) acres in size.
 - (4) Concrete mixing and concrete products manufacturing.
 - (5) Secondary and tertiary processing of stone, sand, gravel, dirt, clay, and similar materials which require a fixed plant.
 - (6) Manufacture and assembly operations that are not conducted entirely within an enclosed building, that generate noise, smoke, odors and/or dust and that involve significant areas of outdoor storage of materials or finished products.
 - (7) Metal foundries
 - (8) Junk, salvage, or scrap metal yards. Junk, metal or rags, storage or baling, where the premises upon which such activities are conducted are wholly enclosed within a building, wall or solid fence not less than six (6) feet in height, completely obscuring the activity. Existing legal junk yards may continue operation, but must meet certain screening requirements within six (6) months of the effective date of this Ordinance. Such junk yards must comply with the fifty (50) foot setback requirements for all junk and scrap metal and must screen such material from the County road with solid material fence which screens all such junk and scrap metal. Such fence shall be a minimum six (6) feet high.
 - (9) Manufacture and wholesale storage of fertilizers exceeding ten (10) acres in size.
 - (10) Petroleum, liquid or gaseous, or its products, refining and wholesale storage.
 - (11) Meat packing, meat processing and rendering facilities or refining and wholesale storage.
 - (12) Other uses, subject to site plan review which are determined by the Planning and Zoning Commission to be of a similar and as intense in nature as the above uses.
- C. Accessory Permitted Uses: Accessory uses and structures customarily incidental to any permitted principal use.
- D. Special Permitted Uses: Any special permitted uses allowed in C-2.
- E. Required Conditions for Permitted and Accessory Uses in an "I" Zoning District:
- (1) The best reasonable means for the disposal of refuse matter or water carried waste, the abatement of obnoxious or offensive odors, smoke, dust, gas, noise, or similar nuisance shall be employed.
 - (2) All buildings and accessory buildings or structures shall be located at least one hundred (100') feet from an "R-1" or "R-2" District boundary and not less than fifty (50') feet from any District except a "C-2" District.
 - (3) All uses which require heavy truck usage shall only be located on adequately constructed paved roads which avoid residential areas.
 - (4) Adequate safeguards shall be taken to fence or screen any on-site hazard from the public.
 - (5) All stormwater drainage shall meet all applicable local, state and Federal regulations and all existing agricultural drainage tiles and underground drainage system shall be maintained and remain unimpeded.
 - (6) The proposed location, design, construction and operation shall not diminish or impair established property values in adjoining or surrounding property.
- F. Minimum Lot Area, Lot Width, Setback, & Maximum Height Requirements
- | Principal Building | Lot Area | Lot Width | Front Yard | Side yard | Rear Yard | Max Stories | Max Height |
|--------------------|----------|-----------|------------|-----------|-----------|-------------|------------|
|--------------------|----------|-----------|------------|-----------|-----------|-------------|------------|

No sewer or water

2 acre 150 ft 50 ft 20 ft 20 ft 3 TBD

W/sewer or water

1 acre 150 ft 50 ft 20 ft 20 ft 3 TBD*

W/sewer & water

20,000 sq ft 100 ft 25 ft 10 ft 20 ft 3 TBD*

Accessory Buildings

Lot Area Lot Width Front Yard Side yard Rear Yard Max Stories Max Height

N/A N/A 50 ft 10 ft 10 ft 2 TBD*

*All building & structure heights to be determined and established with site plan review and approval.

6-19. "I-F" INDUSTRIAL FLOATING DISTRICT

A. General Intent: The "I-F" Industrial Floating District is intended and designed to provide areas for very large scale industrial and commercial development of a more intense character than is allowed in other commercial, or light industrial zoning districts. The District is also intended to accommodate very large scale industrial/commercial uses requiring considerable amounts of contiguous land for operation and buffering, and which by their nature represent a substantial and significant economic development opportunity for Scott County and the region. Such very large scale industrial/commercial uses can be considered for review and approval through the rezoning of property within existing commercial, industrial, or agricultural zoning districts. The adopted industrial development objectives of the Scott County Comprehensive Plan identify the conditions under which the creation of such an "I-F" District can be approved for a very large scale industrial/commercial development.

Prior to establishment of any such floating district adequate information shall be submitted regarding the effects of the proposed use upon the local and regional economy, the impact on the adjoining property and area, the adequacy of the road system to handle the anticipated traffic, any potential traffic hazards, 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 site plan approval will occur in conjunction with the rezoning review and approval. The standards, criteria and conditions of approval will be applied, as deemed appropriate and applicable, during the rezoning review and approval process.

B. Principal Permitted Uses: Land or buildings may be used for any of the following, in so far as the regulations contained in Sections D, E, and F are met.

(1) Any use permitted in the "I" District that due to its size and scale requires an "I-F" zoning classification.

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

D. Special Permitted Uses: None

E. The Planning Commission and Board of Supervisors shall consider the following characteristics of any land being petitioned for a rezoning to an "I" Floating District:

(a) Present use

(b) Corn suitability rating (CSR)

(c) Access/proximity of existing transportation networks, sewer or water connections, or other needed infrastructure; as well as the feasibility of extending such facilities, if necessary

(d) Particular suitability or adaptability of the land to accommodate the proposed use

F. Required Conditions for rezoning land to "I-F" Industrial Floating District:

(1) No portion of the site proposed to be developed, including but not limited to buildings, storage areas, and transportation facilities, may be located in a mapped 100-year or 500-year floodplain.

(2) The potential impacts on any environmentally sensitive areas, such as lakes, ponds, streams, rivers and wetlands, steep slopes, aquifers and recharge areas, unstable building sites, natural wooded areas, prairie and other wildlife habitats, shall be identified and considered for reasonable mitigation. The Planning Commission may recommend, and the Board of Supervisors may approve, off-site mitigation of environmentally sensitive areas as opposed to their preservation.

(3) The best reasonable means known for the disposal of refuse matter or water carried waste, the abatement of obnoxious or offensive odors, smoke, dust, gas, noise, or similar nuisance shall be employed.

(4) All buildings and accessory buildings or structures shall be located at least five hundred (500) feet from an "R-1" or "R-2" District boundary and not less than one hundred (100) feet from any other District except a "C-2" or "I" District.

(5) All uses which require heavy truck usage shall only be located on adequately constructed paved roads which avoid residential areas.

(6) Adequate safeguards shall be taken to fence or screen an on-site hazard from the public.

(7) The proposed location, design, construction and operation shall consider the impact on the property values of adjoining or surrounding property.

(8) Any development plan must provide documentation that the project will not negatively affect the operation of existing agricultural drainage tiles on adjacent properties.

G. Procedure for Rezoning Land to "I-F" Industrial Floating

(1) Developer/landowner must apply to the Planning and Zoning Commission for approval of a specific development plan involving one of the principal permitted uses listed in

paragraph "B" above. The development plan must include a site plan for the development in accordance with Section 6-29 Site Plan Regulations. The standard rezoning procedures contained in Section 6-31 Zoning Amendment Procedures shall be followed, beginning with the Planning and Zoning Commission holding a rezoning public hearing before making a recommendation to the Board of Supervisors.

(2) Developer must apply for all State and federal required permits for the proposed development and provide copies of the application for review.

(3) The Board of Supervisors will receive the Commission's recommendation plus information received during the Commission public hearing process and will hold a public hearing in accordance with Section 6-31 Zoning Amendment Procedures. Based on the Commission recommendation, County staff comments, a review of the required State permit applications, and comments from the applicant and the public, the Board may approve or deny the application. If approved, the site plan approval conditions will

be included with the ordinance changing the zoning. Final County approval is contingent on State and/or Federal permit approval as may be required

(4) If the applicant's application is adopted by the Board, the department staff shall update the zoning map to show the specific location of the "I-F" district (including the separation spacing).

H. Minimum Lot Area, Lot Width, Setback, & Maximum Height Requirements: The lot area, building and structure setbacks and heights of buildings and structures will be determined and approved through the established procedures.

6-20. "SW-F" SOLID WASTE DISPOSAL SITE FLOATING DISTRICT

A. General Intent: The "SW-F" Solid Waste Disposal Site Floating District is intended and designed to meet a preponderance of the policies and guidelines of the comprehensive Scott County Landfill Siting Policies as adopted in 1993 and any amendments thereto. The area rezoned to "SW-F" will be large enough to meet the needs for landfilling and waste recovery, plus a buffer area. Specific conditions for construction, operation, and closing the facility will be developed during the solid waste disposal siting process, as prescribed in the General Provisions section of this District below.

B. Principal Permitted Uses: Property and building in a "SW-F" Solid Waste Disposal Sites District shall be used for the following purposes:

(1) Current land and building uses as of May 1, 1993, if legal in the current zoning district.

(2) Solid Waste Disposal Sites, if approved in accordance with the General Provisions section of this District.

(3) Conservation and wildlife habitat.

C. Accessory Permitted Uses: Accessory buildings and uses customarily incidental to any of the uses in paragraph "B" above.

D. General Provisions: No new solid waste disposal site or extensions to existing legal solid waste disposal site shall be allowed until approved by the Board of Supervisors. Such site and proposed operational procedures shall comply with Iowa Department of Natural Resources rules.

E. Application Procedures:

(1) Applications shall be made in writing signed by the applicant, in accordance with Section 455B., Iowa Code, and shall contain the location and legal description of the proposed site. The application must be accompanied by eight (8) copies of the documents described in Section 455B.305A.2., 2015 Code of Iowa.

(2) The Zoning Administrator, upon receipt of the application, documents, and filing fee, shall forward copies of the application to the Planning and Zoning Commission, and a complimentary copy to the Board of Supervisors. The Commission shall conduct a public hearing at least forty-five (45) days and no later than seventy-five (75) days after receipt before making a recommendation to the Board of Supervisors. The applicant shall file a rezoning application no sooner than thirty (30) days prior to the public hearing so that the Solid Waste Disposal site and rezoning procedures can be handled concurrently. A public notice of the joint purpose public hearing shall be published in the official newspapers in accordance with Section 331.305, Iowa Code. Property owners of record, as described in Sections 455B.305A.3, Iowa Code, shall be notified of the public

hearing by ordinary first class mail. The Commission shall forward a recommendation to the Board of Supervisors within thirty (30) days of the hearing.

(3) The Board of Supervisors shall receive the recommendation of the Commission and six (6) additional copies of the application from the applicant and hold a public hearing in conformance with Sections 455B.305A.5, Code of Iowa and this Ordinance. The Board shall not make a decision until the public has had a 30-day opportunity to comment on the public hearing for site approval and rezoning. The first reading of the rezoning shall be delayed until after the 30-day review period. Before final Board action to approve, approve with conditions, or to disapprove, the applicant's proposal shall be made available to the public in writing. The second reading of the ordinance to amend the zoning ordinance and map will be delayed and reflect the decision of the Board. The rezoning shall be denied if the application for site approval is denied.

(4) The applicant is entitled to one amendment to the original application. It will be administered in conformance with Sections 455B.305A.6., 1993 Code of Iowa.

(5) The application fee shall be \$1,000 to start the process. The County shall monitor all reasonable and necessary costs for reviewing the original application and one amendment, if any, including staff costs and other overhead costs. When the costs exceed \$1,000, the applicant will reimburse the County for all reasonable and necessary costs within thirty days of receipt of itemized County claims.

F. Standards for Reviewing: In considering an application for a Solid Waste Disposal Site, the Planning and Zoning Commission and Board of Supervisors will assure themselves that:

(1) The proposed site is or will be zoned "SW-F".

(2) The proposed site meets the preponderance of the Scott County Landfill Siting Policy Statement and Scott County Land Use Policies.

(3) The proposed site meets or exceeds all requirements for such sites as regulated by the Iowa Department of Natural Resources.

G. Minimum Lot Area, Lot Width, Setback, & Maximum Height Requirements: The lot area, building and structure setbacks and heights of buildings and structures will be determined and approved through the established procedures.

6-21 GENERAL PROVISIONS OF THE FLOODWAY, FLOODWAY FRINGE, AND GENERAL FLOODPLAIN OVERLAY DISTRICTS

A. Permit Required: No person, firm, or corporation shall initiate any development or cause the same to be done in any Flood Plain Overlay District without first obtaining a permit for such development. The Administrative Officer shall review all permit applications to determine if the standards of the Flood Plain Overlay Districts will be met and to insure that all necessary permits will be obtained from Federal, State, and Local governmental agencies.

(1) Application for Permit - Application for a Flood Plain Development Permit shall be on forms supplied by the Administrator and shall include the following information:

(a) Description of the work to be covered by the permit for which application is to be made.

(b) Description of the land on which the proposed work is to be done (i.e., lot, block, tract, street address or similar description) that will readily identify and locate the work to be done.

(c) Identification of the use or occupancy for which the proposed work is intended.

- (d) Elevation of the 100-year flood.
- (e) Elevation (in relation to the National Geodetic Vertical Datum) of the lowest floor including basement) of buildings or of the level to which a building is to be floodproofed.
- (f) For buildings being improved or rebuilt, the estimated cost of improvements and assessed value of the building prior to the improvements.
- (g) Such other information as the Administrator deems reasonably necessary for the purpose of this ordinance.

(2) Filing Fee - All applications shall pay a fee based on the fee schedule approved by the Board of Supervisors.

(3) Action on Permit Application - The Administrator shall, within a reasonable time, make a determination as to whether the proposed flood plain development meets the applicable provisions and standards of this ordinance and shall approve or disapprove the application. For disapprovals, the applicant shall be informed, in writing, of the specific reasons therefore. The Administrator shall not issue permits for variances except as directed by the Board of Adjustment.

(4) Construction and Use to be Provided in Application and Plans - Flood Plain Development Permits issued on the basis of approved plans and applications authorize only the use, arrangement, and construction set forth in such approved plans and applications and no other use, arrangement or construction. Any use, arrangement or construction at variance with that authorized shall be deemed a violation of this Ordinance. The applicant shall submit an "as built" Certificate of Elevation by a professional engineer or land surveyor, as appropriate, registered in the State of Iowa, that the finished fill, building floor elevations, floodproofing, or other flood protection measures were accomplished in compliance with the provisions of the Ordinance, prior to the use or occupancy of any structure.

B. Notification or Alteration or Relocation of Watercourse: The Director/Zoning Administrator shall notify adjacent communities or counties and the Iowa Department of Natural Resources prior to any proposed alteration or relocation of a watercourse.

C. Warning and Disclaimer of Liability: The degree of flood protection required by the standards of the Flood Plain Overlay Districts is considered reasonable for regulatory purposes and is based on engineering and scientific methods of study. Larger floods may occur on rare occasions or the flood heights may be increased by manmade or natural causes, such as ice jams and bridge openings restricted by debris. These standards and provisions do not imply that areas outside the Floodway, Floodway Fringe, or General Flood Plain Overlay Districts will be free from flooding or flood damage. These provisions shall not create liability on the part of Scott County or any officer or employee thereof for any flood damage that may result from reliance on these provisions or any administrative decision lawfully made thereunder.

D. Abrogation and Greater Restrictions: it is not intended by this Ordinance to repeal, abrogate or impair any existing easements, covenants, or deed restriction. However where this Ordinance imposes greater restrictions, the provision of this Ordinance shall prevail. All other ordinances inconsistent with this Ordinance are hereby repealed to the extent of the inconsistency only.

6-22. "FW" FLOODWAY OVERLAY DISTRICT

A. General Intent: It is the intent of the "FW" Floodway Overlay District that the identified area is designated to carry flood waters and should be protected from developmental

encroachment which would increase the flood levels or cause unnecessary threats to personal property or allow unnecessary threats to personal safety. Buildings and structures which impede the free flow of flood waters will not be allowed.

B. Development Standards: All uses in the "FW" Overlay District shall comply with the underlying Zoning District requirements and the provisions of Section 6-18. In addition, the following standards shall be met:

(1) No use shall cause any increase in the 100 year flood level. Consideration of the effects of any development on flood levels shall be based upon the assumption that an equal degree of development would be allowed for similarly situated lands.

(2) All proposed uses and construction shall be consistent with the need to minimize flood damage, and use construction materials and utility equipment that are resistant to flood damage.

(3) No use shall affect the capacity or conveyance of the channel or floodway of any tributary to the main stream, drainage ditch, or any other drainage facility or system.

(4) Structures, buildings and sanitary and utility systems, if permitted, shall meet the applicable performance standards of the Floodway Fringe District and shall be constructed or aligned to present the minimum possible resistance to flood flows.

(5) Buildings, if permitted, shall have a low flood damage potential and shall not be for human habitation.

(6) Storage of materials or equipment that are buoyant, flammable, explosive, or injurious to human, animal or plant life is prohibited. Storage of other material may be allowed if readily removable from the Floodway District within the time available after flood warning.

(7) Watercourse alterations or relocations (channel changes and modifications) must be designed to maintain the flood carrying capacity within the altered or relocated portion. In addition, such alterations or relocations must be approved by the Iowa Department of Natural Resources.

(8) Any fill allowed in floodway must be shown to have some beneficial purpose and shall be limited to the minimum amount necessary.

(9) Pipeline river or stream crossings shall be buried in the streambed and banks or otherwise sufficiently protected to prevent rupture due to channel degradation and meandering or due to the action of flood flows.

(10) No dwellings, including factory-built homes, shall be permitted.

6-23. "FF" FLOODWAY FRINGE OVERLAY DISTRICT

A. General Intent: The intent of the "FF" Floodway Fringe Overlay District is to require special site planning and construction standards to minimize the threats to personal safety and damage to property caused by flooding.

B. Development Standards: All uses in the "FF" Floodway Fringe Overlay District shall comply with the underlying Zoning District requirements and the provisions of Section 6-18. In addition, the following standards shall be met:

(1) All structures shall i) be adequately anchored to prevent flotation, ii) be constructed with materials and utility equipment resistant to flood damage, and iii) be constructed by methods and practices that minimize flood damage.

(2) Residential Buildings: All new, substantially improved, or substantially damaged residential structures shall have the lowest floor, including basements, elevated a minimum of one (1) foot above the 100-year flood level. Construction shall be upon

compacted fill which shall, at all points, be no lower than one (1) foot above the 100-year flood level and extend at such elevation at least eighteen (18) feet beyond the limits of any structure erected thereon. Alternate methods of elevating (such as piers) may be allowed, subject to favorable consideration by the Director/Zoning Administrator, where existing topography, street grades, or other factors preclude elevating by fill. In such

cases the methods used must be adequate to support the structure as well as withstand the various forces and hazards associated with flooding. All new residential buildings shall be provided with a means of access which will be passable by emergency vehicles during the 100-year flood.

(3). Non-residential buildings - All new and substantially improved, or substantially damaged non-residential buildings shall have the first floor (including basement) elevated a minimum of one (1) foot above the 100-year flood level, or together with attendant utility and sanitary systems, be floodproofed to that level. When floodproofing is utilized, a professional engineer registered in the State of Iowa shall certify that the floodproofing methods used are adequate to withstand the flood depths, pressures, velocities, impact and uplift forces and other factors associated with the 100-year flood. A record of certification indicating the specific elevation (in relation to National Geodetic Vertical Datum) to which any structures are floodproofed shall be maintained by the Administrative Officer.

(4) The exemption of detached garages, sheds, and similar structures from the 100-year flood elevation requirements may result in the increased premium rates for insurance coverage of the structure and contents. However, these detached garages, sheds, and similar accessory-type structures are exempt from the 100-year flood elevation requirements when:

(a) The structure shall not be used for human habitation.

(b) The structure shall be designed to have low flood damage potential.

(c) The structure shall be constructed and placed on the building site as to offer minimum resistance to the flow of floodwaters.

(d) The structures shall be firmly anchored to prevent flotation which may result in damage to other structures.

(e) The structure's service facilities such as electrical and heating equipment shall be elevated or floodproofed to at least one (1) foot above the 100-year flood level.

(5) All new and substantially improved structures:

(a) Fully enclosed areas below the "lowest floor" (not including basements) that are subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or meet or exceed the flooding minimum criteria:

i. A minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided.

ii. The bottom of all openings shall be no higher than one foot above grade.

iii. Openings may be equipped with screens, louvers, valves or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.

(b) New and substantially improved structures must be designed (or modified) and adequately anchored to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy.

(c) New and substantially improved structures must be constructed with electrical, heating, ventilation, plumbing, and air conditioning equipment and other service facilities that are designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding.

(6) Factory-built homes shall be anchored to resist flotation, collapse, or lateral movement according to the State Building Code and shall be elevated on a permanent foundation such that the lowest floor of the structure is a minimum of one (1) foot above the 100-year flood level. All new or replacement factory-built homes shall comply with these requirements.

(a) Recreational vehicles are exempt from the requirements of this Ordinance regarding anchoring and elevation of factory-built homes when the following criteria are satisfied;

i. The recreational vehicle shall be located on the site for less than 180 consecutive days, and

ii. The recreational vehicles must be fully licensed and ready for highway use if it is on its wheels or jacking system and is attached to the site only by quick disconnect type utilities and security device and has no permanently attached additions.

(b) The recreational vehicles that are located on the site for more than 180 consecutive days or are not ready for highway use must satisfy requirements of this Ordinance regarding anchoring and elevation of factory built homes

(7) Utility and Sanitary Systems:

(a) All new and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the system as well as the discharge of effluent into flood waters. Wastewater treatment facilities shall be provided with a level of flood protection equal to or greater than one (1) foot above the 100-year flood elevation.

(b) On site waste disposal systems shall be located or designed to avoid impairment to the system or contamination from the system during flooding.

(c) New or replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system. Water supply treatment facilities shall be provided with a level of protection equal to or greater than one (1) foot above the 100-year flood elevation.

(d) Utilities such as gas and electrical systems shall be located and constructed to minimize or eliminate flood damage to the system and the risk associated with such flood damaged or impaired systems.

(8) No use shall affect the capacity or conveyance of the channel or floodway of any tributary to the main stream, drainage ditch, or other drainage facility or system.

(9) Subdivisions, including factory-built home parks and subdivisions, shall be consistent with the need to minimize flood damages and shall have adequate drainage provided to reduce exposure to flood damage. Development associated with subdivision proposals shall meet the applicable performance standards. Subdivision proposals intended for residential development shall provide all lots with a means of vehicular access during occurrence of the 100-year flood.

(10) Storage of materials and equipment that are flammable, explosive or injurious to human, animal or plant life is prohibited unless elevated a minimum of one (1) foot

above the 100-year flood level. Other material and equipment must either be similarly elevated or i) not be subject to major flood damage and be anchored to prevent movement due to flood waters, or ii) be readily removable from the area within the time available after flood warning.

(11) Flood control structural works such as levees, floodwalls, etc., shall provide, at a minimum, protection from a 100-year flood with a minimum of three (3) feet of design freeboard and shall provide for adequate interior drainage. In addition, structural flood control works shall be approved by the Iowa Department of Natural Resources.

6-24. "GF" GENERAL FLOOD PLAIN OVERLAY DISTRICT

A. General Intent: The "GF" General Floodplain Overlay District reflects those areas which would be inundated during a 100-year flood, but for which specific flood elevations and floodway and floodway fringe limits have not been established. It is the intent of the "GF" Overlay District to impose the development standards of the FW and FF Overlay Districts after a determination is made to identify the floodway and floodway fringe areas on an individual project basis. Where 100-year flood data has not been provided in the Flood Insurance Study, the applicant for a Flood Plain Development Permit shall contact the Iowa Department of Natural Resources to compute such data. The Department of Natural Resources shall obtain, review and reasonably utilize any base flood elevation and floodway data available from a Federal, State, or other source, as criteria for reviewing new construction, substantial improvements, or other development in the General Flood Plain Overlay District.

(1) All uses or portions thereof to be located in the floodway as determined by the Iowa Department of Natural Resources shall meet the applicable standards of the "FW" Overlay District.

(2) All uses or portions thereof to be located in the floodway fringe as determined by the Iowa Department of Natural Resources shall meet the standards of the "FF" Overlay District.

6-25. MOBILE HOME PARK REGULATIONS

A. General Intent: Mobile Home Parks are uses of land which because of their unique characteristics are classified as a Special Use in the particular District or Districts identified so that in each case the impact upon the proposed site, neighboring land, public facilities, and the public need for such Parks in a particular location can be evaluated.

(1) Mobile homes may be occupied and used for dwelling purposes only if located in an approved Mobile Home Park in accordance with this Ordinance and Chapter 435, 2015 Code of Iowa. Such Parks may only be allowed in the following Zoning Districts through approval of a Special Use permit: "R-2", and "C-2".

(2) Mobile Home Parks are areas containing mobile homes which are structures designed and intended to be used as permanent living facilities. Mobile Home Parks may contain a limited number of travel trailers as defined in this Ordinance, intended to serve as temporary living facilities. Any travel trailer may locate in an approved Mobile Home Park not to exceed 180 days per calendar year. The allowance for travel trailers does not

include tents or tent camping within any Mobile Home Park. At any one time, a Mobile Home Park must have the majority (51% or more) of its occupied spaces containing

Mobile Homes as defined in this Ordinance. Failure to comply with this majority requirement shall be grounds for revocation of the Special Use permit.

(3) Special Permitted Use: Any proposed Mobile Home Park shall apply for a Special Use permit, on forms provided by the Zoning Administrator, before any construction has begun or any mobile homes are placed on the site. The application shall be a written application to the Zoning Board of Adjustment and include the following information as a minimum:

(a) The name, address, and signature of the applicant, the land owner, and the developer (if different).

(b) The location and legal description of the proposed tract for the Park.

(c) A brief description of why this site should be developed for a Mobile Home Park, including facts showing the proposed Park complies with the Comprehensive Plan and Land Use Policies.

B. Filing Fee: All applications shall pay a fee based on the fee schedule approved by the Board of Supervisors.

C. Site Plan Requirements: The application also shall be accompanied by a Site Plan, consisting of eight (8) copies, which will be used by the County and the Zoning Board of Adjustment in making its decision. The Site Plan shall be drawn at a reasonable and legible scale and shall include the following:

(1) A separate vicinity map showing the Park's relationship to existing streets, adjoining properties, and public facilities.

(2) Existing and proposed contour intervals of not more than five (5) feet, provided, however, that a minimum of two (2) contours shall be shown.

(3) The location of existing property lines and other pertinent information including but not limited to: Surface features, buildings, roads, railroads, utilities, watercourses, mature trees, and similar items affecting the development. Also, the location of sub-surface features, such as underground utilities and drain tiles.

(4) All existing adjacent subdivisions, streets, lots, and tracts of land along with the location of such homes, farm buildings, and other buildings.

(5) The proposed location of mobile home/travel trailer sites, streets, traffic flow, street lighting, access to public streets and roads, layouts for lots and spaces, location of utilities and utility easements, recreation areas, park accessory buildings and facilities.

(6) The location and manner of providing water supply and sewage treatment which meets Iowa DNR and Scott County Health Department regulations.

(7) A grading plan including detailed information complying with Iowa DNR and local Scott County regulations for handling storm water run-off.

(8) The title in large letters of the proposed Park, a north arrow, scale, the Zoning District in which the land is located, and the proposed street names in the Park.

D. Filing Sequence: Once the application, fee, and Site Plan (8 copies) are properly filed with the Zoning Administrator, the application shall be put on the next regular meeting for the Zoning Board of Adjustment, which allows twenty (20) days for review prior to the meeting. One copy will be forwarded to the Board of Health and the County Engineer for review and recommendation at the public hearing.

(1) The Zoning Administrator will make public notice in the newspaper and send notification to all property owners of record within five hundred (500) feet of the proposed Park site.

(2) The Zoning Board of Adjustment, after such public hearing, may grant a Special Use Permit to the applicant to operate a Mobile Home Park in Scott County. The decision may be postponed until the next regular meeting, if there is not enough information to make a proper decision after the public hearing.

E. Board Findings: The Board may approve such Park application if it can affirm that the proposed Park is to be located in an eligible Zoning District; that it substantially meets the standards and procedures of this Section, the general intent of the Zoning Ordinance, and the Comprehensive Plan; that there are adequate provisions for fire protection and water supply; that the proposed Park will not be detrimental to, nor endanger the public health, safety and general welfare; that it will not be injurious to the use and enjoyment of adjacent property owners for the purposes already permitted; nor will it substantially diminish property values within the neighborhood; and that the proposed Park will not impede the normal and orderly development of the surrounding property for uses permitted in the District. The Board may grant the permit, but include such conditions on the layout and operation of the Park as it deems essential to be consistent with the spirit, purpose, and intent of this Ordinance.

F. Standards: (Applicable to new parks and additions to existing parks)

(1) Minimum Site: The minimum site for a Mobile Home Park shall be five (5) acres.

(2) Mobile Home Density: A maximum density of eight (8) mobile homes per acre of ground is permitted.

(3) Open Space: Common open space shall be provided and based on a factor of three hundredths (0.03) acres per mobile home with a minimum of one (1) acre of useable land designated per Park addition.

(4) Roadways, Streets, and Driveways: For roads and streets in mobile home parks, the design standards and procedures for streets as prescribed in the Scott County Subdivision Ordinance, Section 9-17, shall apply. The applicant shall have all streets inspected throughout the construction process by a registered professional engineer who will certify that the streets meet the above standards.

(5) Street Lighting: Adequate street lighting shall be provided as necessary, and reviewed at the time the Special Use permit is considered.

(6) Off-Street Parking: Off-street parking shall be provided in the Park for the use of Park residents and guests. Parking spaces shall be hard surfaced in Mobile Home Parks and located conveniently to the mobile home lot or space. In Mobile Home Parks, two (2)

vehicle parking spaces shall be provided for each lot with a minimum of one (1) parking space on the lot.

(7) Spaces: Individual lots or spaces shall be so arranged that there will be at least a fifteen (15) foot clearance between units, including any additions. No mobile home shall be located closer than fifty (50) feet from the front property line (or right-of-way), nor closer than twenty (20) feet from any internal street or roadway surface, nor closer than twenty-five (25) feet from any side or rear property line, nor closer than five (5) feet from any interior lot line.

(8) Building and Other Improvements: Plans and specifications of all Park-owned buildings and other improvements, including sewage, gas, electric and water supply, roadways and sanitary facilities constructed or to be constructed within the Park shall

comply with applicable laws of the State of Iowa, including Section 435 of the 2015 Code of Iowa, and with applicable Chapters of this Code.

Buildings and structures shall be limited to one (1) "convenience shopping" store, the residence of the owner/operator, utility and recreation buildings, and accessory buildings and structures for the mobile home park residents. The applicant shall provide for an Iowa State Registered Professional Engineer to design the sanitary sewer and water systems and certify their installation according to the plans. The Professional Engineer will inspect the installation of the sewer and water systems and show proof thereof. Wastewater treatment systems for individual mobile homes are not permitted, unless approved by the Scott County Health Department.

(9) Ownership of Park: The Park owner may not sell or transfer title of any lot or space in such Park. In the event of any such transfer, the Special Use permit of the Park shall be automatically revoked, and all units shall be removed from the premises within thirty (30) days of written notice to do so from the Zoning Administrator. It is the intention hereof that such Parks may be transferred in their entirety, as long as the new Park owner agrees to comply with the Special Use permit.

(10) Occupancy: The Park may not be occupied until the sewer and water supply have been approved by the County Board of Health or the Iowa Department of Natural Resources (if applicable) and appropriate utilities have been installed and are operational. The internal roadways leading to the lot or space must be constructed. Once the utilities are in place, the Zoning Administrator will do an on-site inspection and provide a Certificate of Compliance for the Park or a phase of the Park.

(11) Certificate of Occupancy: Each mobile home requires a building permit and must be inspected before it can be occupied. .

(12) Changes in the Layout of the Park: Any substantial changes in the Park which would change lot sizes numbers, recreation areas, or street patterns first must be approved by the Zoning Administrator. Any new additions to the Park require the applicant to file for an amended Special Use permit with the Zoning Board of Adjustment.

(13) Failure to Construct Park: A Special Use permit issued by the Zoning Board of Adjustment for such a Park shall become null and void if no substantial development has been completed one (1) year after the granting of such permit. This period may be extended only upon review and written approval of the Zoning Administrator.

(14) Park Vacation: If a Mobile Home Park is vacated for more than one (1) year, the Special Use permit shall become null and void.

(15) Temporary Mobile Home Occupancy Permits: Application for a permit to occupy a mobile home for dwelling or sleeping purposes outside of a park upon a lot or premises occupied by a dwelling shall be made at the office of the Zoning Administrator. Such permits may be granted for two purposes: 1) the care of a person by a relative when the mobile home has a HUD seal and is located on the same property as the permanent home, and 2) the temporary residency of a person or family engaged in the construction of a permanent residence on the premises. Said application shall set forth the location of the occupied dwelling where such mobile home is to be used and occupied; the name of the owner or occupant of such mobile home or travel trailer together with his car license number and the license number of such mobile home or travel trailer.

The Office of the Zoning Administrator may issue a permit for the temporary occupancy of a mobile home or travel trailer outside of a Park upon receipt of the application as set forth in the previous paragraph. The permit may be issued for a period specified by the Administrative Officer and not to exceed one (1) year from the date of the granting of the permit; and such permit may be extended for good cause in the judgment of the Zoning Administrator.

6-26. TRAVEL TRAILER PARK REGULATIONS

A. General Intent: Travel Trailer Parks are uses of land which because of their unique characteristics are classified as a Special Use in the particular District or Districts identified so that in each case the impact upon the proposed site, neighboring land, public facilities, and the public need for such Parks in a particular location can be evaluated.

(1) Travel trailers may be occupied and used for temporary dwelling purposes only if located in an approved Travel Trailer Park or in an approved Mobile Home Park as addressed herein. Such Travel Trailer Parks may only be allowed in the following Zoning Districts through the approval of a Special Use permit: "A-G", "R-2", and "C-2".

(2) Trailer Parks are areas for the temporary location of travel trailers, as defined in this Ordinance and briefly here defined as motorized vehicles designed and intended for temporary living facilities. "Temporary" is intended to mean that such dwellings may be located in a Travel Trailer Park for no more than thirty (30) consecutive days, and for no more than 104 days in a calendar year (figure assumes location of a travel trailer for every weekend in a calendar year). Travel Trailer Parks may contain a limited number of tent/tent camping sites. Such tent sites are subject to the same maximum location requirements as travel trailers; no more than 30 consecutive days, and no more than 104 days in a calendar year. The location of a site built home, mobile home, or any other permanent or semi-permanent dwelling or structure other than a travel trailer or camping tent is prohibited.

(3) Special Permitted Use: Any proposed Travel Trailer Parks shall apply for a Special Use permit, on forms provided by the Zoning Administrator, before any construction has begun or any mobile homes are placed on the site. The application shall be a written application to the Zoning Board of Adjustment and include the following information as a minimum:

(a) The name, address, and signature of the applicant, the land owner, and the developer (if different).

(b) The location and legal description of the proposed tract for the Park.

(c) A brief description of why this site should be developed for a Travel Trailer Park, including facts showing how the proposed Park complies with the Comprehensive Plan and Land Use Policies.

B. Filing Fee: All applications shall pay a fee based on the fee schedule approved by the Board of Supervisors

C. Site Plan Requirements: The application also shall be accompanied by a Site Plan, consisting of eight (8) copies, which will be used by the County and the Zoning Board of Adjustment in making its decision. The Site Plan shall be drawn at a reasonable and legible scale and shall include the following:

(1) A separate vicinity map showing the Park's relationship to existing streets, adjoining properties, and public facilities.

- (2) Existing and proposed contour intervals of not more than five (5) feet, provided, however, that a minimum of two (2) contours shall be shown.
 - (3) The location of existing property lines and other pertinent information including but not limited to: Surface features, buildings, roads, railroads, utilities, watercourses, mature trees, and similar items affecting the development. Also, the location of sub-surface features, such as underground utilities and drain tiles.
 - (4) All existing adjacent subdivisions, streets, lots, and tracts of land along with the location of such homes, farm buildings, and other buildings.
 - (5) The proposed location of travel trailer sites, streets, traffic flow, street lighting, access to public streets and roads, layouts for lots and spaces, location of utilities and utility easements, recreation areas, park accessory buildings and facilities.
 - (6) The location and manner of providing water supply and sewage treatment which meets Iowa DNR and Scott County Health Department regulations.
 - (7) A grading plan including detailed information complying with Iowa DNR and local Scott County regulations for handling storm water run-off.
 - (8) The title in large letters of the proposed Park, a north arrow, scale, the Zoning District in which the land is located, and the proposed street names in the Park.
- D. Filing Sequence: Once the application, fee, and Site Plan (8 copies) are properly filed with the Zoning Administrator, the application shall be put on the next regular meeting for the Zoning Board of Adjustment, which allows twenty (20) days for review prior to the meeting. One copy will be forwarded to the Board of Health and the County Engineer for review and recommendation at the public hearing.
- (1) The Zoning Administrator will make public notice in the newspaper and send notification to all property owners of record within five hundred (500) feet of the proposed Park site.
 - (2) The Zoning Board of Adjustment, after such public hearing, may grant a Special Use permit to the applicant to operate a Travel Trailer Park in Scott County. The decision may be postponed until the next regular meeting, if there is not enough information to make a proper decision after the public hearing.
- E. Board Findings: The Board may approve such Park application if it can affirm that the proposed Park is to be located in an eligible Zoning District; that it substantially meets the standards and procedures of this Section, the general intent of the Zoning Ordinance, and the Comprehensive Plan; that there are adequate provisions for fire protection and water supply; that the proposed Park will not be detrimental to, nor endanger the public health, safety and general welfare; that it will not be injurious to the use and enjoyment of adjacent property owners for the purposes already permitted; nor will it substantially diminish property values within the neighborhood; and that the proposed Park will not impede the normal and orderly development of the surrounding property for uses permitted in the District. The Board may grant the permit, but include such conditions on the layout and operation of the Park as it deems essential to be consistent with the spirit, purpose, and intent of this Ordinance.
- F. Standards: (Applicable to new parks and additions to existing parks)
- (1) Minimum Site: The minimum site for a Travel Trailer Park shall be five (5) acres.
 - (2) Travel Trailer Density: A maximum density of fifteen (15) travel trailers per acre, and twenty-five (25) tents per acre, of ground is permitted.

(3) Open Space: Common open space shall be provided and based on a factor of three hundredths (0.03) acres per travel trailer space, and the same factor per every two (2) tent spaces (if applicable), with a minimum of one (1) acre of useable land designated per Park addition.

(4) Roadways, Streets, and Driveways: Roads, streets, and driveways, within Travel Trailer Parks shall be suitably graded, dust free, and constructed to provide proper drainage, safe and convenient access to each travel trailer space, and convenient circulation of vehicles. Street layout will be designed to limit the number of access points onto the public road system and to minimize traffic hazards. The roadway surface shall be constructed to maintain a driving area at least twenty (20) feet wide the entire route. If a pavement is desired, it shall first be approved by the County Engineer, who may require any and all forms of background information to assist him in making his decision. Such plans shall be approved before any construction may begin on the Travel Trailer Park.

(5) Street Lighting: Adequate street lighting shall be provided as deemed necessary, and reviewed at the time the Special Use permit is considered.

(6) Off-Street Parking: Off-street parking shall be provided in the Park for the use of Park residents and guests. In Travel Trailer Parks, one (1) vehicle parking space shall be provided for each site and one (1) additional for every three (3) travel trailer spaces, the same for every tent space (if applicable).

(7) Spaces: Individual lots or spaces shall be so arranged that there will be at least a fifteen (15) foot clearance between travel trailers. No permanent structures, such as porches, canopies, or other additions shall be built onto any travel trailer. No travel trailer shall be located closer than fifty (50) feet from the front property line (or right-of-way), nor

closer than twenty (20) feet from any internal street or roadway surface, nor closer than twenty-five (25) feet from any side or rear property line, nor closer than five (5) feet from any interior lot line.

(8) Building and Other Improvements: Plans and specifications of all Park-owned buildings and other improvements, including sewage, gas, electric and water supply, roadways and sanitary facilities constructed or to be constructed within the Park shall comply with applicable laws of the State of Iowa and with applicable Chapters of this Code.

Buildings and structures shall be limited to one (1) "convenience shopping" store, the residence of the owner/operator, utility and recreation buildings, and accessory buildings and structures for maintenance of the Park. The applicant shall provide for an Iowa State Registered Professional Engineer to design the sanitary sewer and water systems and certify their installation according to the plans. The Engineer will inspect the installation of the sewer and water systems and show proof thereof.

(9) Ownership of Park: The Park owner may not sell or transfer title of any lot or space in such Park. In the event of any such transfer, the Special Use Permit of the Park shall be automatically revoked, and all travel trailers shall be removed from the premises within thirty (30) days of written notice to do so from the Zoning Administrator. It is the intention hereof that such Parks may be transferred in their entirety, as long as the new Park owner agrees to comply with the Special Use permit.

(10) Occupancy: The Park may not be occupied until the sewer and water supply have been approved by the County Board of Health or the Iowa Department of Natural Resources (if applicable) and lighting, electricity, and natural gas (if applicable) have been installed and are operational. The internal roadways leading to the lot or space must be constructed. Once the utilities are in place, the Zoning Administrator will do an on-site inspection and provide a Certificate of Compliance for the Park or a phase of the Park.

(11) Changes in the Layout of the Park: Any substantial changes in the Park which would change lot sizes, numbers, recreation areas, or street patterns first must be approved by the Zoning Administrator. Any new additions to the Park require the applicant to file for an amended Special Use permit with the Zoning Board of Adjustment, following the same procedures established in this Ordinance.

(12) Failure to Construct Park: A Special Use permit issued by the Zoning Board of Adjustment for such a Park shall become null and void if no substantial development has been completed one (1) year after the granting of such permit. This period may be extended only upon review and written approval of the Zoning Administrator.

(13) Park Vacation: If a Travel Trailer Park is vacated for more than one (1) year, the Special Use permit shall become null and void.

6-27. OFF STREET VEHICULAR PARKING REQUIREMENTS

A. Off street parking required: All new construction, re-development or change of use of property subject to the requirements of Section 6-29 Site Plan Review shall be required to provide off street parking and circulation areas in accordance with the requirements set forth as follows:

(1) Off street parking spaces shall be provided using the following guidelines:

(a) Single and two family dwellings 3 per unit

(b) Townhouses and Apartments 2 per unit

(c) Senior Residential facilities 1 per unit

(d) Churches and assembly facilities 1 per every 3 persons of occupancy load

(e) General Commercial Uses 1 per every 500 sq ft gross floor area

(f) Outdoor Recreational facilities 1 per every 3 persons of design capacity

(g) Retail Sales under 5, 000 sq ft 1 per every 500 sq ft gross floor area

Floor area

(h) Retail Sales over 5,000 sq ft 1 per every 750 sq ft gross floor area

Floor area

(i) Office Uses 1 per every 500 sq ft gross floor area

(j) Restaurants and on premise 1 per every 250 sq ft gross floor area

Liquor sales

(k) Industrial Uses 1 per every 750 sq ft gross floor area

(l) Warehousing 1 per every 1,000 sq ft gross floor area

(m) Other Uses not specifically 1 per every 3 persons of occupancy load

Identified

(2) Additional parking and circulation areas: All areas used for parking and circulation in excess of the above minimum required shall be constructed in accordance with the requirements of these regulations.

(3) Accessible parking spaces required: Accessible parking spaces shall be provided in accordance with the requirements of the current edition of the American with Disabilities Act Accessibility Guidelines

(4) Construction and design standards: Parking and circulation areas shall be designed and constructed in accordance with the Iowa Statewide Urban Design and Specifications (SUDAS) Chapter 12 Parking Lots Sections 1-6.

(5) Completion or surety required: Prior to the issuance of Certificate of Occupancy all improvements required in accordance with this section must be completed or a performance bond be posted in an amount equal to 125% of the cost estimate of the required improvements to assure completion of the improvements within one (1) year of occupancy..

B. Storm water management: Stormwater runoff from parking and circulation areas shall be controlled in a manner approved by the County Engineer and designed and constructed in accordance with the Iowa Statewide Urban Design and Specifications (SUDAS) Chapter 12 Parking Lots Sections 1-6. Stormwater detention facilities sufficient to capture the runoff of a one hundred (100) year storm shall be placed on the property. The release rate of storm water out of the detention facility shall be restricted so as not to exceed the volume produced by a five (5) year storm when measured at the pre-developed flow rates. The velocity of the water leaving the property shall be reduced so as not to cause erosion. A drainage easement is required where storm water from a property crosses an adjacent property to reach a natural stream or public drainage facility. Enclosed storm sewers require County Engineer approval. If an acceptable pervious paving system is used the requirement to provide onsite stormwater detention can be eliminated.

C. Exceptions: Any exceptions or modifications to the requirements of the parking regulations shall be reviewed using the criteria established for the review of a Special Use permit by making application to the Zoning Board of Adjustment under the procedures and criteria of Section 6-30 C (2) Special Permitted Uses.

6-28. SIGN AND BILLBOARD REGULATIONS

A. General Intent: It is the intent of Scott County to establish effective sign regulation which recognizes public, as well as, private interests and investments in our environment; while regulating the number, size and location of signs; relating signs to the individual use, site and structure; prohibiting unsafe signs; causing the removal of abandoned and nonconforming signs; and to promote and protect the health, safety, welfare, aesthetics, convenience and enjoyment of the residents and visitors of Scott County.

It is also the intent of this Title to promote more effective and equitable sign placement and design compatible with the surroundings and appropriate to the type of activity to which the sign pertains; to encourage greater consideration of influencing factors and thoughtful design of signs; to promote economic and business development; to protect property values; to not disrupt agricultural operations or take agricultural operations out of production; reduce distractions and obstructions which may contribute to traffic

hazards and/or accidents; and to enhance and protect the agricultural land, physical appearance and natural beauty of Scott County.

B. Regulation of All Signs: The regulations contained in this Section shall apply to and regulate signs in all Districts. No sign shall be located, erected, or maintained except in compliance with these regulations. Signs, identified in this Section as requiring a permit, shall obtain a building permit and zoning approval prior to construction. Existing signs which currently conform with the zoning ordinance may continue as is, even if it is rendered non-conforming by these new regulations. If existing signs are replaced, enlarged, or significantly altered so as not to comply with the general intent of this Section, the proposed sign shall obtain a building permit and conform with these regulations.

(1) Exemptions: Official traffic or directional signs, warning signs, address signs, information or identification signs erected and maintained by the state, county or any city; subdivision identification signs, historic site markers or plaques and any other sign required or approved by a governmental body are not subject to this Ordinance and do not require a building permit.

(2) Signs Prohibited: No sign other than an official traffic sign shall be placed or encroach into the public or private road right-of-way. No sign shall be erected where it may constitute a traffic hazard by obstructing the vision of drivers or pedestrians, by interfering with any traffic control device, or which may be confused with an official traffic control device by reason of its size, shape, design, or location, content, coloring, or manner of illumination.

(3) Signs at Intersections: Signs located within one hundred (100) feet of a public or private road intersection shall be erected and maintained so that there is an unobscured visual sight area for vehicle operators or pedestrians. The unobscured area, at a minimum, shall extend from a distance of three-and-one-half (3-1/2) feet to fifteen (15) feet above the traveled portion of the roadway. See Section 6-6.T. "Visual Clearance" for additional restrictions.

(4) On Premise Wall Signs: All signs affixed to the walls, facia, windows or doors of the principal building on the property shall not require a building permit, but shall be limited to no more than 25 per cent coverage per building side. Signage drawn or painted directly on a wall or building surface is permitted, and subject to the 25 per cent coverage requirement per building side.

(5) On Premise Roof Signs: Roof signs are permitted in all Districts, except any residential district. Roof signs shall not project more than six (6) feet beyond the roof line of the building, and may not exceed the District height limit established for principal structures. The width of any roof sign shall not project out beyond any wall or side of the building on which it is placed. A roof sign may project or cantilever by no more than six (6) feet over the plane of the building wall or side which it faces; and in such cases an engineered design shall accompany the building permit. Roof signs require a building permit but shall not be included in the cumulative total area of on premise accessory signage permitted.

(6) On Premise Accessory Signs: A free-standing pedestal, ground, monument, or other detached sign which directs attention to an establishment, business, profession, commodity, service, premises, person or thing which is located, produced, conducted, sold, or offered on the same lot upon which the sign is located. The cumulative total of

all detached accessory signs on a property shall not exceed 500 square feet of sign area, including all sides of sign faces, with no single sign face exceeding 250 square feet

(7) Accessory Sign Size and Location Restrictions: In permitted districts, an accessory sign shall not exceed 250 square feet of total surface area per side, if set back at least twenty-five (25) feet from the closest portion of the sign face and the front property line or the distance from the front property line to the principal structure, whichever is less. The front yard setback for free-standing accessory signs may be reduced five (5) feet for every twenty (20) percent reduction from the overall permitted sign area. In no event shall the front yard setback be less than five (5) feet. The total sign area per side shall be limited to two (2) square feet of sign area for every one (1) linear foot of lot frontage, maximum 250 square feet per face, for a free-standing accessory sign. Permitted free-standing accessory sign area is cumulative and the sum total of all detached accessory signs on a property shall not exceed 500 ft² of sign area, including all sides of sign faces, [with no more than 250 square feet of total surface area per side allowed per lot]. There shall be no side yard setback requirements for accessory signs, except on the side of the lot adjoining an "R" District, private residence, school, or church. In that case, the sign may not face the "R" District or land use, unless the sign is ten (10) square feet in surface area or less and not illuminated. For each foot in from the side yard in which the sign is located, the surface area may increase ten (10) percent. At fifty (50) foot side yard setback, the sign may be at the maximum size allowed and illuminated.

(8) Off-Premise signs (Billboards): Billboards are allowed in "CAD-PV" "C-1", "C-2", "I", and "I-F" Districts, if they meet the following restrictions: Maximum billboard area shall be 800 square feet of total surface area per side. Minimum front yard setback from the closest portion of the sign face to the road right of way or easement is fifty (50) feet. However, the front yard setback may be reduced ten (10) feet for every twenty (20) percent reduction in the permitted billboard area. In no case will the front yard setback be less than ten (10) feet. The minimum spacing between billboard structures shall be five hundred (500) feet, except that a billboard structure may have faces on opposite sides of the structure if only one face can be seen at one time. The maximum height of the billboard, including extensions, is forty-five (45) feet. There shall be no side yard setback requirements for billboards, except on the side of the lot adjoining an "R" District, private residence, school, or church. In that case, the billboard may not be located closer than three hundred (300) feet from the existing building used for residential, religious, or educational uses.

(9) Iowa Department of Transportation (IDOT) Approval: Any proposed sign or billboard along a State or Federal highway must be approved by IDOT along with compliance with the regulations of the Zoning Ordinance.

(10) Electronic message signs and lighted signs: On premise accessory signs shall be limited to no more than 50% of the sign face being used for display of electronic lighted messages. An on premise accessory sign may be entirely constructed as an electronic message sign, but in such a case the sign is limited to no more than 125 square feet of total surface area per side and only one fully electronic message sign may be installed per lot. Such displays shall be limited to scrolled messages or static display with frame effects that dissolve or fade in transition. Full animation, flashing or video display signs

are not permitted. Off premise signs (billboards) may have 100% of the sign face being used for display of electronic lighted messages. Such displays shall be limited to static display with frame effects that hold for a minimum of eight seconds and cut to transition to next frame within one second. Full animation, flashing or video display signs are not permitted.

(11) Temporary Signs: Temporary signs are allowed in all zoning districts, and are signs which are temporary in nature due to their inherent design and placement. "Temporary" is considered to be a period of time not to exceed 180 days. Temporary signs may be constructed out of materials such as cardboard, foam core, plastic or plywood, and lack a permanent foundation or footing design, and structural frame. Temporary signs may refer to temporary events, products, and/or services. Some signs may depict ideas or subject matters not inherently temporary, but such signage is nonetheless subject to temporary signage regulations if not permitted as an on premise or off premise advertising sign and/or if its design and placement is temporary in nature. Temporary signs cannot be electronic message signs, and they must be unlit and have no moving parts. As defined, temporary signs are permitted for no longer than 180 days.

Temporary signs shall not be placed or encroach into the public or private road right-of-way, shall not exceed six (6) feet in height, and shall not exceed 25 square feet of total surface area per side. Multiple temporary signs per lot are allowed; if multiple signs are sited on a single lot, the cumulative allowable sign area is 25 square feet including all sides of sign faces.

(12) Permit required: A sign permit is required prior to the installation of any on premise accessory pedestal, ground or roof sign and any off premise sign or billboard. The sign permit fee shall be determined in accordance with the fee schedule of the Scott County International Construction Code.

(13) Future Signs Not in Compliance: Effective at the adoption of this Ordinance, any new sign or billboard erected in unincorporated Scott County without a building permit and in violation of the Zoning Ordinance shall be given thirty (30) days to remove the sign or billboard, or to apply for a variance from the Board of Adjustment. If the property owner does submit a variance application to the Zoning Administrator within the thirty (30) days, or if the Board of Adjustment denies the variance application, the property owner shall remove said sign within seven (7) days of notice of receipt of violation from the Zoning Administrator.

C. Illumination Standards: All proposals for electronic and lighted signs require review and approval of the Zoning Administrator. Such proposals shall include site plan, a sketch of the sign and adjoining areas which may be affected by the sign. All lighting shall be directed away from adjacent residential land uses and roadways, in order to avoid glare upon adjacent properties and vehicular traffic. The applicant may appeal any decision of the Zoning Administrator to the Board of Adjustment.

(1) Signs utilizing external lighting must be located so that light does not extended beyond the illuminated sign face and create light spillage onto adjacent properties, residences, and rights-of-way.

6-29. SITE PLAN REVIEW

A. Purpose: In accordance with the Comprehensive Plan of Scott County, it is essential that new developments and substantial improvements to existing developments or the change in use or re-occupancy of existing developments meet established minimum

standards for the design and improvement of such developments, to insure adequate provisions for public/private utilities; such as sewer, water, and roads, and to promote the health, safety, and general welfare of the public.

B. Application: Prior to issuance of building permit for any new development, substantial improvement to any existing development, change in use of any existing development or the re-occupancy of a building that has been vacant for one (1) year or greater, approval of a Site Plan Review by the Planning and Zoning Commission is required. A site plan review is required whenever a person, firm, corporation or other group wishes to develop, re-develop, or re-occupy a tract of land for multi-family dwelling units, commercial, office, institutional, or industrial use. If the proposed use is a principal permitted use within that Zoning District, the Planning and Zoning Commission will review the site plan. For special permitted uses, the site plan will be reviewed by the Commission and the Special Use permit will be reviewed by the Zoning Board of Adjustment.

C. Procedure: The developer shall submit a letter of application and 10 copies of the site plan to the Zoning Administrator, who will determine if all necessary information is provided for review. Once all the required information is received, the Zoning Administrator shall forward copies of the Site Plan to the County Engineer and the County Health Officer for their review and recommendation. A copy of the Site Plan shall also be sent to all adjoining property owners. The Zoning Administrator will schedule a review by the Planning and Zoning Commission at the next regular meeting beyond fifteen (15) days of official receipt.

(1) The Planning and Zoning Commission shall review the Site Plan proposal at said meetings and receive a site report from the County Engineer, the County Health Officer, the Zoning Administrator and receive comments from the public. The Commission shall make its determination of conditions for approval of the site plan within thirty-five (35) days of the first meeting. If no action is forthcoming within the thirty-five (35) days, the site plan shall be deemed approved and a building permit may be issued.

(2) The developer may appeal the conditions of the Planning and Zoning Commission placed on the proposed development by notifying in writing the Board of Supervisors. Such appeal shall be made within thirty (30) days of the Commission's decision and shall specify what relief is requested of the Board of Supervisors. The Board shall hear said appeal at a committee of the whole meeting within fifteen (15) days and act upon the appeal at a regular Board meeting within thirty (30) days of appeal receipt.

(3) A building permit may only be issued after Planning and Zoning Commission approval or decision of the Board of Supervisors on appeal.

D. Site Plan Review Standards: The standards of site design listed below are intended only as minimum requirements, so that the general development pattern in rural Scott County may be adjusted to a wide variety of circumstances and topography, and to insure reasonable and orderly growth in rural Scott County.

(1) All proposed developments shall conform to the Land Use Policies of the 2008 Comprehensive Plan of Scott County, as amended; the Scott County Zoning and Subdivision Ordinances standards and procedures, where applicable; such other County ordinances as may pertain to such developments; and any applicable administrative rules of the Iowa Department of Transportation, Iowa Department of Health, Iowa Department of Natural Resources, and other agencies of the State of Iowa.

(2) All parking shall be provided in accordance with the provisions of Section 6-23 Vehicular Parking and Loading Provisions. Prior to issuance of a building permit a performance bond shall be posted with the Scott County Planning and Development Department to secure all required parking and circulation area improvements in accordance with the requirements of the County Engineer.

(3) The proposed development shall be designed with appropriate regard for topography, surface drainage, natural drainage ways and streams, wooded areas, and other naturally sensitive areas which lend themselves to protection from degradation. Applicant may be required to submit engineering studies and plans to state how the applicant will protect the sensitive environment at applicant's expense. A soil erosion control plan is required if more than one (1) acre of land is proposed to be disturbed during construction.

(4) The proposed development shall be designed with adequate water supply and sewage treatment facilities and storm water drains and structures necessary to protect the public health and welfare by not overloading existing public utilities. Runoff from development shall not be outletted into roadside drainage facilities in excess of the existing runoff prior to development. Applicant may be required to submit engineering plans to show how the applicant will manage storm water runoff to a 25-year rainstorm.

(5) The proposed development shall be designed, and the buildings and improvement shall be located within the tract or parcel in such a manner as not to unduly diminish or impair the use and enjoyment of adjoining or surrounding property. And to such end, the developer shall provide for such fences, landscaping and other improvements as are deemed proper and necessary to buffer the proposed use from the existing or surrounding land uses. A landscaping plan plus the agreement to implement the plan is required for any building exceeding 10,000 square feet. Applicant may be required to submit a plan drawn up by a landscaping firm or nursery.

(6) The proposed development shall be designed not to unduly increase the public danger of fire, explosion, and other safety hazards on the general public and the persons residing or working in adjoining or surrounding property.

E. Information on Site Plan: The purpose of the Site Plan is to show the facts needed to enable the Planning and Zoning Commission to determine whether the proposed development meets the requirements of this Ordinance and complies with the standards listed in paragraph D above.

(1) Location map showing relationship to surrounding roads, streams, and public facilities.

(2) Scale of Site Plan shall not be more than one (1) inch to equal fifty (50) feet. Scale shall be shown in legend.

(3) Name and address of land owner and developer.

(4) Date, north marker, name of proposed development.

(5) Existing buildings, utilities, railroads, rights-of-way, easements, location, and name of existing roads, stands of trees, and drainage ways.

(6) Location and name of adjoining subdivisions, subdivision lots therein, and names of the adjoining landowners.

(7) Existing and proposed contour lines at intervals of two (2) feet, with a minimum of two (2) contours.

(8) Zoning district classification; type of water supply and sewage disposal and storm water management.

(9) Other information as deemed necessary to describe how the standards in paragraph D above will be satisfied.

(10) Proposed location of buildings, access to parking lots, traffic flows, changes in ground-elevation, landscaping to be removed and added, signs, lights, waste bins, outdoor storage areas, loading areas, fences/walls, etc.

F. Fees: When the site plan materials are submitted, the owner/developer shall pay a fee based on the fee schedule approved by the Board of Supervisors.

6-30. ZONING BOARD OF ADJUSTMENT PROCEDURES

A. Membership: A Zoning Board of Adjustment, hereafter referred to in this Section by the word "Board", is hereby established. Such Board shall consist of five (5) members, a majority of whom shall reside within the County, but outside the corporate limits of any city, appointed by the Board of Supervisors. The five (5) members of the Board shall be the same Board members as existed under the previous zoning ordinance. Said Board shall serve out their unexpired terms and are eligible for re-appointment. Terms shall be for five (5) years, and vacancies shall be filled for the unexpired term of any member whose position becomes vacant. The Board of Supervisors shall have the power to remove any member of the Board for cause upon written charges and after a public hearing.

B. Rules - Meetings: The Board shall adopt rules in accordance with the provisions of this Ordinance and the Iowa Code. The Board shall elect its own chairman at the first meeting of the calendar year, who shall serve for the calendar year. Meetings will be established by the rules and shall be open to the public. The chair, or in the chair's absence, the vice chair, shall conduct the meetings. Three (3) members present shall constitute a quorum. The Board shall keep minutes of the proceedings showing the vote of each member upon each question, and all such material and related upon each question, and all such material and related documents shall be immediately filed in the Department of Planning and Development and shall be a public record.

C. Powers, Duties and Considerations: The Board shall have the following powers and it shall be its duty:

(1) To hear and decide appeals of interpretation where it is alleged there is an error in any order, requirement, decision, or determination made by the Zoning Administrator in the enforcement of this Ordinance or of any supplement or amendment.

(a) Appeals of interpretation may be taken by any person, or by an officer, department, board or commission of the County aggrieved by such interpretation. Once notified in writing of the decision and its justification, the aggrieved party has fifteen (15) days to appeal to the Board by filing an appeal in writing with the Department of Planning and Development. Said appeal shall specify the grounds for appeal. The Zoning Administrator shall forward the appeal and all related papers which constitute the record upon which the appeal was taken to the Board of Adjustment.

(b) Appeals to interpretation may relate to Zoning District boundary line location, the use of the building or premises, the applicability of zoning standards to the specific site, and other similar matters.

(2) To hear and decide an application for Special Permitted Uses as provided for the Zoning Districts for this Ordinance.

(a) Applications for Special Permitted Uses shall be submitted to the Board through the Department of Planning and Development on the application form provided. The applicant will provide a site plan as prescribed in Section 6-25 and a written explanation of the proposed special use which describes when it would be started and completed, how it will operate, how it will satisfy a need for such a use in that particular location. The Zoning Administrator shall forward the application and all related papers to the Board for their review decisions.

(b) Before the issuance of a special 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 any 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.

(c) 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 Ordinance, and to adhere to the Land Use Policies of the 2008 Comprehensive Plan, as amended.

(3) To authorize, upon appeal, such variance(s) from the terms of this Ordinance where because of the unusual circumstances, a literal enforcement of the provisions of this Ordinance will result in unnecessary hardship, and so that the spirit of the Ordinance be observed and substantial justice done.

(a) Appeals for a variance may be made by the landowner, potential buyer or developer, or operator/manager of land, who has applied for a building permit and been denied because the proposed development does not comply with the specific regulations of this Ordinance. The same appeals process is required for previously constructed structures which were built in violation of this Ordinance. Applicant has fifteen (15) days from building permit denial to appeal to the Board by completing the appeal form in the Department of Planning and Development. Said appeal should state the specific variance requested and the

reasons for which the appeal should be granted. The Zoning Administrator shall forward the appeal and all related papers which constitute the record upon which this appeal was taken to the Board of Adjustment.

(b) Before deciding on the variance appeal, the Board will hold a public hearing and shall determine if one of the two following conditions has occurred:

- i. When because of an exceptional situation, topographical condition, surroundings, size, shape or other condition of a specific piece of property of record, the strict application of any provision of this Ordinance would result in peculiar and exceptional practical difficulties or particular hardship upon the owner of such property and amount to a practical confiscation, the Board may vary the application of the regulations imposed by this Ordinance subject to the restrictions in the following paragraphs.
- ii. When the applicant for a variance can show that the hardship is a compelling force and not a perceived one, the hardship was created by this Ordinance and not the

applicant, and the strict application of the Ordinance precludes its use for any purpose to which the land is reasonably adapted.

(4) To hear and decide variances to Sections 6-21, 6-22, 6-23, and 6-24 concerning the flood plain districts, variances granted must meet the following applicable standards.

(a) No variance shall be granted for any development within the Floodway District which would result in any increase in the 100-year flood level. Consideration of the effects of any development on flood levels shall be based upon the assumption that an equal degree of development would be allowed for similarly situated lands.

(b) Variances shall only be granted upon (i) a showing of good and sufficient cause, (ii) a determination that failure to grant the variance would result in exceptional hardship to the applicant, and (iii) a determination that the granting of the variance will not result in increased flood heights, additional threats to public safety, or extraordinary public expense; create nuisances, or cause fraud on or victimization of the public.

(c) Variances shall only be granted upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.

(d) In cases where the variance involves a lower level of flood protection for buildings than what is ordinarily required by this Ordinance, the applicant shall be notified in writing over the signature of the Zoning Administrator that (i) the insurance of a variance will result in increased premium rates for flood insurance up to amounts as high as \$25 per \$100 of insurance coverage and (ii) such construction increases risks to life and property.

(e) All variances granted shall have the concurrence or approval of the Iowa Department of Natural Resources.

(f) In passing upon requests for Flood Plain Variances, the Board shall consider all relevant factors specified in other sections of this Ordinance and:

- i. The danger to life and property due to increased flood heights or velocities caused by encroachments.
- ii. The danger that materials may be swept on to other lands or downstream to the injury of others.
- iii. The proposed water supply and sanitation systems and the ability of these systems to prevent disease, contamination and unsanitary conditions.
- iv. The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner.
- v. The importance of the services provided by the proposed facility to the community.
- vi. The requirements of the facility for a flood plain location.
- vii. The availability of alternative locations not subject to flooding for the proposed use.
- viii. The compatibility of the proposed use with existing development and development anticipated in the foreseeable future.
- ix. The relationship of the proposed use to the comprehensive plan and flood plain management program for the area.
- x. The safety of access to the property in times of flood for ordinary and emergency vehicles.
- xi. The expected heights, velocity, duration, rate of rise and sediment transport of the floodwater expected at the site.
- xii. Such other factors which are relevant to the purpose of this ordinance.

D. Conditions for Granting Variances: No variation in the application for the provisions of this Ordinance shall be made in the instances specified above unless and until the Board shall be satisfied that granting the variance will not:

- (1) Merely serve as a convenience to the applicant and is necessary to alleviate demonstrable hardship or difficulty so great as to warrant the variance.
- (2) Impair the general purpose and intent of the Development Plan as established by the regulations and provisions contained in this Ordinance.
- (3) Impair an adequate supply of light and air to adjacent property.
- (4) Increase the hazard from fire and other danger to said property.
- (5) Diminish the value of land and buildings elsewhere in the County.
- (6) Increase the congestion and traffic hazards on public roads.
- (7) Otherwise impair the public health, safety, and general welfare of inhabitants of the County.

E. Conditions to be Placed on the Granting of Flood Plain Variances: Upon consideration of the factors listed in C.(4) above, the Board may attach such conditions to the granting of flood plain variances as it deems necessary to further the purpose of this ordinance. Such conditions may include, but not necessarily be limited to:

- (1) Modification of waste disposal and water supply facilities.
- (2) Limitation on periods of use and operation.
- (3) Imposition of operational controls, sureties, and deed restrictions.
- (4) Requirements for construction of channel modification, dikes, levees, and other protective measures, provided such are approved by the Department of Natural Resources and are deemed the only practical alternative to achieving the purposes of this ordinance.
- (5) Floodproofing measures. Floodproofing measures shall be designed consistent with the flood protection elevation for the particular area, flood velocities, durations, rate of rise, hydrostatic and hydrodynamic forces, and other factors associated with the regulatory flood. The Board of Adjustment shall require that the applicant submit a plan or document certified by a registered professional engineer that the floodproofing measures are consistent with the regulatory flood protection elevation and associated flood factors for the particular area.

F. General Procedures: A person, firm, or corporation may apply for a variance, special permitted use, or appeal of interpretation to this Ordinance for a particular parcel of land within Scott County by filing an appeal with the Zoning Administrator. The applicant(s) may be the landowner, the current or prospective tenant, lessee, or operator of the property, if applicable. If the applicant is not the landowner, the landowner must co-sign the application. Cases must be filed a minimum of ten (10) days prior to the Board meeting.

- (1) The Zoning Administrator will prepare notice of the public hearing stating the location of the property and a brief description of the nature of the application, and the time and place of the public hearing in the following manner.
 - (a) Notify all owners of property located within five hundred (500) feet in all directions from the property in question by common mail at least five (5) days prior to the Board meeting.
 - (b) Prominently display an informational sign on the applicant's site.
 - (c) Notify the County Engineer and County Health Officer and allow them time to reply, if applicable.

(2) At the public hearing, any person may appear and testify either in person or by duly authorized person or attorney, or in writing received by noon of the meeting day. For all appeals and applications, the burden of proof rests with the applicant.

(3) Voting: In exercising the powers of subsection C above, the Board may reverse, affirm, or modify the request, in whole or in part. The concurring vote of three (3) members of the Board shall be necessary to approve an application for a variance or special use permit or reverse the Zoning Administrator's interpretation.

The Board's decision shall affect the property described in the application and does not terminate with the change of ownership unless specifically stated in the Board's decision. As long as subsequent owners continue to use the building or property as stipulated in the Board's decision, additional review or application is not necessary. Every decision of a Board case will result in a written decision which specifies the reasons for granting or denying an appeal or application or stipulates the conditions upon which a variance or special permitted use is approved (if applicable).

(4) Notification of Board's Decision: The Zoning Administrator shall notify the applicant by written letter of the official decision of the Board within fifteen (15) days of decision.

(5) Right to Appeal Decision: Any person or persons jointly or separately aggrieved by any decision of the Board under the provisions of this Ordinance, or any taxpayer, or any officer, department, board, or commission of the County may present to District Court a petition, duly verified, setting forth that such decision is illegal or in error, in whole or in part, specifying the grounds of illegality or error. Such petition shall be presented to the Court within thirty (30) days after the decision by the Board.

(6) Variations of Flood Plain Elevation Requirements: All variances granted in the designated flood plain shall have the concurrence or approval of the Iowa Department of Natural Resources. The Zoning Administrator shall notify the applicant that the issuance of a variance to locate a structure at an elevation below the 100-year flood level will result in increased premium rates for flood insurance coverage, up to amounts as high as twenty-five dollars (\$25) for one hundred dollars (\$100) insurance coverage, and that such construction below the base flood increases risks to life and property. Such notification shall be maintained with a record of all variance actions.

(7) Filing Fee: All applications shall pay a fee based on the fee schedule approved by the Board of Supervisors.

(8) Time Limit on Board Decision: If the property granted a variance or special use permit is not developed as allowed within two (2) years of Board action, the Board may, after seven (7) days' notice in writing to the landowner, initiate action to rescind the variance or special use permit granted. This can occur only after a public hearing before the Board at a regular meeting.

6-31. ZONING AMENDMENT PROCEDURES

A. General Authority: The Board of Supervisors may from time to time, on its own action or on petition from the Planning and Zoning Commission or an individual or group, after public notice and hearings as provided by law, and after report by the County Planning and Zoning

Commission, amend, supplement, or change the boundaries or regulations herein or subsequently established, and such amendment shall not become effective except by the favorable vote of a majority of all the members of the Board of Supervisors.

B. Procedure: A person, firm, or corporation or the Commission may initiate any zoning text or map amendment of this Ordinance by filing a request with the Zoning Administrator. A Zoning Map amendment by anyone other than the Commission requires a signed petition by the owners of at least fifty (50) percent of the area of all the real estate included within the boundaries of the area to be rezoned. Said petition shall contain a legal description of the real estate for which rezoning is requested, the existing zoning classifications and the requested zoning classification, and a statement of intended use and how such use complies with the Land Use Policies of the 2008 Comprehensive Plan of Scott County, as amended; and the Scott County Zoning Ordinance standards and procedures, as deemed applicable. Also, the applicant shall provide thirteen (13) copies of a site plan or plat. Rezoning filing fees will be charged for the two stages based on the fee schedule approved by the Board of Supervisors.

(1) The Zoning Administrator, upon receipt of all required material, shall establish a rezoning public hearing date at least eighteen (18) days and not more than thirty (30) days from date of filing before the Planning and Zoning Commission. The notice of said rezoning shall be conspicuously posted on the land for which the rezoning is requested and notice mailed to landowners of record within five hundred (500) feet of said property.

(2) Upon receipt of any petition to amend the Zoning Ordinance, the Zoning Administrator shall forward a copy of the petition and a Site Plan to the County Engineer; the County Board of Health; the SCS District Conservationist; the Bi-State Metropolitan Planning Commission; and to the planning staff of the city (if located within two (2) miles of a city with a zoning ordinance). The materials will be submitted to each department with a request to review and comment in writing prior to the Planning and Zoning Commission holding its public hearing.

(3) The Commission, after the public hearing, shall act within thirty (30) days to recommend approval or disapproval to the Board of Supervisors. Once the recommendation is made, the applicant has seven (7) days to submit the Board of Supervisors public hearing filing fee. If received, the Zoning Administrator shall forward the petition to the Board of Supervisors to be on a Board meeting agenda within thirty (30) days of receipt. If the filing fee is not received within seven (7) days, the Zoning Administrator shall notify the applicant by common mail that the rezoning process has been terminated.

(4) The Board of Supervisors shall receive the recommendation of the Commission and review it prior to a public hearing. The Zoning Administrator shall publish public notice in an official County newspaper, at least four (4) days and not more than twenty (20) days prior to the public hearing, and to re-notify all property owners of record within five hundred (500) feet of the property for which the rezoning is requested.

(5) At the public hearing, the Board will hear the applicant's request, the Commission's recommendation, and comments from the public concerning the zoning text or map amendment. The Board may hold the first reading after the public hearing or delay any action until the next regular meeting. A second reading and publication in conformance with State law is required before the text or map amendment is effective.

(6) In case the proposed amendment or rezoning is disapproved by the Planning and Zoning Commission, or a protest be presented, duly signed by the owners of twenty (20) percent or more, either of the area included in such proposed change, or of the

area immediately adjacent thereto and within five hundred (500) feet of the boundaries thereof, such rezoning shall not become effective unless four (4) members of the Board of Supervisors cast a favorable vote.

(7) If the property is rezoned, and the property is not developed for eligible uses in whole or in part within two (2) years from such rezoning, or unless there exists an unexpired building permit for the development thereof at the end of such two (2) years, the Planning and Zoning Commission, may notify the current owner(s) of the area rezoned the Commission will initiate action to rezone the property to its previous zoning classification following these established procedures.

6-32. COMMUNITY AREA DEVELOPMENT ADMINISTRATION

A. General Intent: This Ordinance recognizes the two Community Area Developments (CAD's) created by an earlier edition of the Zoning Ordinance, Village Oaks and Park View. The plans which were approved in conformance with Section 29 of the 1951 Scott County Zoning Ordinance with amendments remain in effect. This section describes the procedures for amending a CAD, but does not permit the creation of any new community area developments in Scott County.

B. Scope: Park View Development, located in portions of Sections 30 and 31, Butler Township; and Village Oaks Development, located in a portion of Section 18, Buffalo Township; are conforming CAD's in unincorporated Scott County.

C. Plans Recognized as Basis for Future Development: All undeveloped portions of the two CAD's shall be developed in accordance with plats, restrictive covenants, and the Statement in Support on file in the Department of Planning and Development. Village Oaks will develop according to the recorded subdivision plats. Park View will develop according to the colored development plan approved by the County in 1966 and as amended in accordance with the procedures established in the Revised Zoning Ordinance adopted April 2, 1981.

D. Zoning District Regulations applicable to approved CAD Areas: This ordinance has two zoning districts applicable to these two existing CAD Areas. "CAD-R" Community Area Development Residential District applies to the residential areas of both Village Oaks and Park View, "CAD-PVC" Community Area Development Park View Commercial District only applies to the commercial areas of Park View.

E. Procedure for Amending the CAD Plans: The Commission, developer, or the owners of at least fifty percent (50%) of the area to be changed may file a request with the Zoning Administrator . The request shall contain a legal description of the real estate to be amended, a plat showing the existing plan and the requested change in land use, and a statement of how the proposed use complies with the Scott County Comprehensive Plan and the adopted Land Use Policies. If several land owners are filing the request, they must submit a signed petition stating their address and the amount of land they own.

(1) The Zoning Administrator, upon receipt of all required material, shall establish a public hearing date at least eighteen (18) days and not more than thirty (30) days from date of receipt before the Planning and Zoning Commission. The notice of the proposed development plan change shall be conspicuously posted on the land affected by the proposed change and notices mailed to the appropriate Homeowners Association and landowners of record within five hundred (500) feet of said property.

(2) The Zoning Administrator shall forward a copy of the application and development proposal to the County Engineer and the County Board of Health for their review and comments prior to the public hearing.

(3) The Commission will hold the public hearing on the date published and will consider comments from the applicant, neighboring property owners, County departments, and the general public. The Commission shall act within thirty (30) days of public hearing to recommend approval or disapproval of the application to the Board of Supervisors.

(4) The Board of Supervisors shall receive the recommendation and hold a public hearing on the earliest regular meeting date after public notice in the official County newspapers at least four (4) days and not more than twenty (20) days prior to the public hearing. All persons or businesses previously notified shall be renotified of this public hearing. The Board of Supervisors shall consider all information received at the public hearing and then vote to approve or disapprove the proposed plan amendment by adopting a Resolution.

(5) The Resolution and all associate plats and agreements will be filed in the Planning and Development Department to carry out the amendment. The applicant will also file the plat and the Board's Resolution in the Recorder's office.

(6) As applicable, the developer will proceed with a subdivision review, in accordance with the Subdivision Ordinance and a Site Plan Review, in accordance with the Zoning Ordinance, Section 6-29.

6-33. ZONING ADMINISTRATOR DUTIES

A. The Board of Supervisors shall appoint a person to be the Zoning Administrator whose duties shall include the responsibility to administer and enforce this Ordinance. The Zoning Administrator may be provided with assistance of such other persons as the Board of Supervisors may direct.

B. Duties: The Zoning Administrator duties shall include but not be limited to:

(1) Reviewing all development proposals to insure compliance with the Zoning District in which the proposal is located,

(2) Processing all applications for variances, special use permits, and zoning text and map amendments to insure compliance with this Ordinance,

(3) Providing a staff report on all pending cases to the Board of Adjustment, Planning and Zoning Commission, and the Board of Supervisors,

(4) Insuring that proper procedures are followed for public notices, and that official decisions and minutes are kept of Board of Adjustment and Planning and Zoning Commission meetings,

(5) Reviewing applications for agricultural exemptions and providing a written determination to the applicant,

(6) Reviewing applications for Home Occupation and Home Industry permits and providing a written determination to the applicant, and

(7) Making determinations and taking appropriate action on zoning violations.

C. Notice of Writing: If the Zoning Administrator finds any provision of this Ordinance violated, the Zoning Administrator shall notify in writing, the person responsible for such violation, indicating the nature of the violation, what provision was violated, and ordering the action necessary to correct it. The Zoning Administrator shall order illegal use of land to discontinue; or shall take any other action authorized by this Ordinance to insure compliance with or to prevent violation of this Ordinance.

6-34. OCCUPANCY PERMITS

A. No land shall be occupied or used, and no building hereafter erected, or structurally altered, shall be occupied or used in whole or in part, for any purpose whatsoever, until a Certificate of Occupancy is issued by the Building Official. The Building Official shall not issue a Certificate of Occupancy until an inspection is made to insure that the building or part of the building meets the minimum standards of the Scott County International Construction Codes and the proposed use complies with the Zoning District on which the land and/or building is located.

B. The Building Official, upon the finding that a building hereafter erected or structurally altered is occupied or used in whole or in part without obtaining the Certificate of Occupancy, shall immediately notify in writing the occupants and builder (if applicable) or post the alleged violation prominently on said property or building and require compliance with the Scott County Uniform Construction Codes and Zoning Ordinance within seven (7) days of receipt of notice. If compliance is not forthcoming within the seven (7) days following receipt, the building shall be deemed in violation of the Zoning Ordinance and shall immediately be vacated. Each day that a violation is permitted to exist shall constitute a separate offense.

6-35. MUNICIPAL INFRACTION

A. Any person, persons, firm, partnerships or corporations, whether acting alone or in concert with any other, who violates this ordinance shall be guilty of a municipal infraction and shall be penalized as set forth in Chapter 29 of the County Code of Scott County, Iowa.

B. Alternative to immediate legal actions: Within fourteen (14) days of receipt of written notice, the responsible party must either 1) eliminate the zoning violation(s), or 2) apply for a zoning change or variance which will correct the violation.

The Zoning Administrator may delay legal action against the responsible party (parties) if the violator files a request for an Agreement to Abate within fourteen (14) days of receipt of written notice of the violation. This provision is provided to allow additional, reasonable time to comply with the zoning regulations when costs, weather conditions or other unusual circumstances make compliance within fourteen (14) days extremely difficult or nearly impossible. The Planning and Zoning Commission will consider the request to enter into an Agreement to Abate at their next regular meeting.

C. Agreement to Abate Terms: The Planning and Zoning Commission will consider the request for an Agreement to Abate based upon the degree of difficulty faced by the responsible party (parties) in eliminating the zoning violation. The Agreement to Abate is a voluntary binding agreement which stipulates the violation(s), the expiration date of the special extended abatement period, and what must be done to achieve compliance with the zoning regulation(s). In voluntarily signing this agreement, the violator also agrees to waive the right to appeal the County's determination that a zoning violation exists, and consents and agrees that if the abatement is not eliminated in the extended abatement period, the County or its agents may enter the property and abate the violation. The violator agrees to pay all costs of abatement.

6-36. VALIDITY AND SEVERABILITY

Should any section or provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the Ordinance as a whole, or any part thereof other than the part so declared to be invalid.

Moved by Earnhardt, seconded by Holst that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) That the bid for the Sheriff Patrol Headquarters construction testing services is accepted and the contract is awarded to TEAM Services in the amount of \$22,309.00. 2) That the Director of Facility & Support Services is hereby authorized to execute contract documents on behalf of the Scott County Board of Supervisors. 3) This resolution shall take effect immediately.

Moved by Kinzer, seconded by Earnhardt a motion to approve the request to overfill the Payroll Specialists position in the Auditor's Office. All Ayes.

Lori Elam, Community Services Director, spoke to the Board about MHDS property tax levy authority bills in the legislature.

Moved by Sunderbruch, seconded by Kinzer that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) That the WatchGuard In-Car Video System for the Sheriff's Office is hereby approved as presented in the amount of \$309,150.00. 2) This resolution shall take effect immediately.

Moved by Sunderbruch, seconded by Earnhardt that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) A master agreement, end user license agreement, OnBase license quote, statements of work with DataBank IMX for the implementation of an ECM solution in the amount \$330,020.00 and for the IT Director to sign approved documents on behalf of the Board of Supervisors is hereby approved. 2) This resolution shall take effect immediately.

Moved by Sunderbruch, seconded by Earnhardt that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) That Scott County Board of Supervisors approves the sale of 2504 Telegraph Road for \$1.00 to Vera French Mental Health Center. 2) That in addition to the sale Scott County grants \$50,000 for the future maintenance of the facility. That grant will be paid following the closing for the property. 3) Therefore, the Scott County Board of Supervisors authorizes the County Administrator to sign the necessary documents for the sale on their behalf. 4) This resolution shall take effect immediately.

Moved by Sunderbruch, seconded by Holst that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) The 2016 Slough Bill exemptions as presented to the Board of Supervisors by the Soil Conservation District and the County Assessor's office are hereby approved as follows:

Deed Holder	Parcel #	Type	Exempt Acres	Exempt Value
ARTER JOHN D	021419005	FOREST COVERS AG	2.40	2,330.00
ARTER JOHN D	021421004	OPEN PRAIRIES AG	4.60	3,680.00
ARTER JOHN D	021433004	OPEN PRAIRIES AG	16.95	22,930.00
ARTER JOHN D	021435002	OPEN PRAIRIES AG	38.50	50,520.00
ARTER JOHN D	021437002	OPEN PRAIRIES AG	11.40	11,860.00
ARTER JOHN D	021449001	OPEN PRAIRIES AG	23.90	28,980.00
ARTER JOHN D	021451001	OPEN PRAIRIES AG	33.30	32,670.00
ARTER JOHN D	021453001	OPEN PRAIRIES AG	5.00	4,850.00
ARTER JOHN D	021555002	OPEN PRAIRIES AG	12.25	12,690.00
ARTER JOHN D	022321002	OPEN PRAIRIES AG	42.21	54,740.00
ARTER MARY ELIZABETH	021633002	OPEN PRAIRIES AG	24.87	26,420.00
ARTER MARY ELIZABETH	021649004	OPEN PRAIRIES AG	34.92	44,300.00
ARTER MARY ELIZABETH	022101002	OPEN PRAIRIES AG	12.11	14,340.00
ARTER MARY ELIZABETH	022103001	OPEN PRAIRIES AG	20.00	24,780.00
BURKE LIVING TRUST	033405008	FOREST COVERS RESIDENTIAL	4.10	19,520.00
BUTLER DEBRA ANN	8506555041	FOREST COVERS RESIDENTIAL	2.81	42,150.00
BUTLER DEBRA ANN	8506555041	OPEN PRAIRIES RESIDENTIAL	2.20	33,000.00
CAROL A KLEMMER REVOCABLE TRUST	042749005	FOREST COVERS AG	3.00	3,620.00
CAWIEZELL JOSEPH M	930201008	OPEN PRAIRIES RESIDENTIAL	2.00	10,000.00
CLAEYS ANDREW	040517001	FOREST COVERS AG	7.80	3,780.00
CLAEYS ANDREW	040637001	FOREST COVERS AG	10.50	1,530.00
CLAEYS ANDREW	040653004	FOREST COVERS AG	3.60	990.00
CLAEYS PAUL D	041035001	OPEN PRAIRIES AG	8.30	11,160.00
DAVIS J C JR	9216071022	FOREST COVERS RESIDENTIAL	17.45	27,780.00
DECAP MURIEL L	950801003	FOREST COVERS AG	9.50	10,120.00
DECAP MURIEL L	950817002	FOREST COVERS AG	7.50	4,340.00
DOUGLAS E VICKSTROM REVOCABLE TRUST	040217001	OPEN PRAIRIES AG	10.96	13,250.00
DOUGLAS E VICKSTROM REVOCABLE TRUST	040233001	OPEN PRAIRIES AG	26.06	20,620.00
DOUGLAS E VICKSTROM REVOCABLE TRUST	040249001	OPEN PRAIRIES AG	52.02	51,190.00
DOUGLAS E VICKSTROM REVOCABLE TRUST	040303002	OPEN PRAIRIES AG	7.75	5,160.00
DOUGLAS E VICKSTROM REVOCABLE TRUST	040303003	OPEN PRAIRIES AG	8.20	5,120.00
DOUGLAS E VICKSTROM REVOCABLE TRUST	040305003	OPEN PRAIRIES AG	34.81	47,030.00
DOUGLAS E VICKSTROM REVOCABLE TRUST	040305004	OPEN PRAIRIES AG	3.59	540.00
DOUGLAS E VICKSTROM REVOCABLE TRUST	040307003	OPEN PRAIRIES AG	2.40	3,530.00
DOUGLAS E VICKSTROM REVOCABLE TRUST	040307005	OPEN PRAIRIES AG	3.62	1,050.00
DOUGLAS E VICKSTROM REVOCABLE TRUST	040307006	OPEN PRAIRIES AG	9.30	10,310.00
DOUGLAS E VICKSTROM REVOCABLE TRUST	040317003	OPEN PRAIRIES AG	20.00	16,600.00

DOUGLAS E VICKSTROM REVOCABLE TRUST	040319003	OPEN PRAIRIES AG	31.40	41,810.00
DOUGLAS E VICKSTROM REVOCABLE TRUST	040321002	OPEN PRAIRIES AG	2.10	3,090.00
DOUGLAS E VICKSTROM REVOCABLE TRUST	040321003	OPEN PRAIRIES AG	37.90	53,360.00
DOUGLAS E VICKSTROM REVOCABLE TRUST	040323002	OPEN PRAIRIES AG	16.30	22,460.00
DOUGLAS E VICKSTROM REVOCABLE TRUST	040323003	OPEN PRAIRIES AG	23.70	33,080.00
DOUGLAS E VICKSTROM REVOCABLE TRUST	040333008	OPEN PRAIRIES AG	24.18	29,200.00
DOUGLAS E VICKSTROM REVOCABLE TRUST	040333010	OPEN PRAIRIES AG	1.65	1,690.00
DOUGLAS E VICKSTROM REVOCABLE TRUST	040333011	OPEN PRAIRIES AG	5.15	5,520.00
DOUGLAS E VICKSTROM REVOCABLE TRUST	040335002	OPEN PRAIRIES AG	16.30	19,730.00
DOUGLAS E VICKSTROM REVOCABLE TRUST	040335003	OPEN PRAIRIES AG	23.70	30,610.00
DOUGLAS E VICKSTROM REVOCABLE TRUST	040337002	OPEN PRAIRIES AG	14.30	20,560.00
DOUGLAS E VICKSTROM REVOCABLE TRUST	040337003	OPEN PRAIRIES AG	25.70	37,570.00
DOUGLAS E VICKSTROM REVOCABLE TRUST	040339002	OPEN PRAIRIES AG	37.30	42,600.00
DOUGLAS E VICKSTROM REVOCABLE TRUST	040339003	OPEN PRAIRIES AG	2.70	3,990.00
DOUGLAS E VICKSTROM REVOCABLE TRUST	040349001	OPEN PRAIRIES AG	40.00	48,310.00
DOUGLAS E VICKSTROM REVOCABLE TRUST	040351002	OPEN PRAIRIES AG	15.20	18,360.00
DOUGLAS E VICKSTROM REVOCABLE TRUST	040351003	OPEN PRAIRIES AG	24.80	32,130.00
DOUGLAS E VICKSTROM REVOCABLE TRUST	040353002	OPEN PRAIRIES AG	9.80	13,870.00
DOUGLAS E VICKSTROM REVOCABLE TRUST	040353003	OPEN PRAIRIES AG	30.20	42,100.00
DOUGLAS E VICKSTROM REVOCABLE TRUST	040355001	OPEN PRAIRIES AG	40.00	51,780.00
DOUGLAS E VICKSTROM REVOCABLE TRUST	040439003	OPEN PRAIRIES AG	24.60	31,390.00
DOUGLAS E VICKSTROM REVOCABLE TRUST	040455005	OPEN PRAIRIES AG	34.95	44,050.00
EDWARDS DOUGLAS L	030901102	FOREST COVERS RESIDENTIAL	7.80	25,500.00
EUGENE L JOHNSON FAMILY TRUST	952333101	OPEN PRAIRIES RESIDENTIAL	11.98	47,920.00
EUGENE L JOHNSON FAMILY TRUST	952335304	OPEN PRAIRIES RESIDENTIAL	1.76	7,650.00
HAASE LIVING TRUST	051951002	OPEN PRAIRIES RESIDENTIAL	3.74	14,000.00
HAASE THOMAS P	051951004	OPEN PRAIRIES RESIDENTIAL	1.86	28,600.00
HAMILTON MARIANNE	720249003	FOREST COVERS AG	18.10	9,990.00
HAMMILL JOHN L JR	952617406--4	FOREST COVERS RESIDENTIAL	2.80	56,000.00
HAMMILL JOHN L JR	952617406--4	OPEN PRAIRIES RESIDENTIAL	0.20	1,000.00
HILLMANN JON P	032619002	FOREST COVERS AG	15.00	21,230.00
HOULAHAN MICHELLE	951103003AD	FOREST COVERS AG	6.80	4,150.00
JO-DA LLC	030705001	RIVER & STREAM BANK AG	4.00	4,250.00
JO-DA LLC	030705001	OPEN PRAIRIES AG	30.00	33,910.00
JO-DA LLC	030707001	RIVER & STREAM BANK AG	2.00	2,340.00
JO-DA LLC	030707001	OPEN PRAIRIES AG	4.30	5,680.00

JO-DA LLC	030707002	RIVER & STREAM BANK AG	22.00	16,600.00
JO-DA LLC	030721001	RIVER & STREAM BANK AG	6.00	4,010.00
JO-DA LLC	030721001	OPEN PRAIRIES AG	2.00	830.00
JO-DA LLC	030723002	RIVER & STREAM BANK AG	0.50	680.00
KUEHL RICHARD H	942401002	OPEN PRAIRIES AG	14.60	16,720.00
LEONARD MARILYN C	943607101	FOREST COVERS RESIDENTIAL	0.80	1,500.00
LEONARD MARILYN C	943607101	OPEN PRAIRIES RESIDENTIAL	3.75	67,500.00
LEONARD MARILYN C	943607102	OPEN PRAIRIES RESIDENTIAL	1.95	19,500.00
MARGUERITE A JOHNSON 2004 TRUST	952349201	FOREST COVERS RESIDENTIAL	1.40	5,600.00
MARGUERITE A JOHNSON 2004 TRUST	952349201	OPEN PRAIRIES RESIDENTIAL	4.60	18,400.00
MARTIN FAMILY REVOCABLE TRUST	952231042	FOREST COVERS RESIDENTIAL	4.20	28,670.00
MILLER CHAD A	8414172032	FOREST COVERS RESIDENTIAL	4.90	27,900.00
MOELLER BRADLEY D	022105003	FOREST COVERS AG	9.48	10,230.00
MOELLER BRADLEY D	022105003	OPEN PRAIRIES AG	17.60	23,560.00
MOELLER BRADLEY D	022107001	FOREST COVERS AG	7.00	8,880.00
MOELLER BRADLEY D	022107001	OPEN PRAIRIES AG	32.40	39,920.00
MORRELL JANE E	021137001	OPEN PRAIRIES RESIDENTIAL	2.00	3,000.00
MORRELL JANE E	021153006	OPEN PRAIRIES RESIDENTIAL	3.32	18,750.00
PRAIRIE OAKS LLC	9516491041	OPEN PRAIRIES RESIDENTIAL	6.60	6,000.00
RAYMOND E KRAKLIO RESIDUARY TR	022223001	FOREST COVERS AG	0.70	180.00
RAYMOND E KRAKLIO RESIDUARY TR	022239001	FOREST COVERS AG	2.00	480.00
RYAN JAMES L	021551001	FOREST COVERS RESIDENTIAL	5.00	15,000.00
SCHOEBERL CAMILLE	053437101	FOREST COVERS RESIDENTIAL	1.10	4,000.00
SCHOEBERL CAMILLE A	053435108	FOREST COVERS RESIDENTIAL	0.90	28,350.00
SLATER JOSEPH L	031301002	OPEN PRAIRIES AG	0.50	510.00
SLATER JOSEPH L	031317004	OPEN PRAIRIES AG	1.50	1,680.00
STRUNK KIM M	910339004	FOREST COVERS AG	2.00	2,840.00
STRUNK KIM M	910339004	OPEN PRAIRIES AG	5.00	7,410.00
STRUNK KIM MARTIN	910339005	FOREST COVERS AG	2.00	4,150.00
STRUNK KIM MARTIN	910339005	OPEN PRAIRIES AG	2.00	3,060.00
TAYLOR BENJAMIN JOHN	850705002	FOREST COVERS AG	3.40	2,220.00
TOBIN LIVING TRUST	033303001	FOREST COVERS AG	0.50	730.00
TOBIN LIVING TRUST	033305001	FOREST COVERS AG	14.50	19,690.00
TOBIN LIVING TRUST	033307001	FOREST COVERS AG	24.50	24,770.00
TOBIN LIVING TRUST	033319001	FOREST COVERS AG	8.20	7,610.00
TOBIN LIVING TRUST	033321001	FOREST COVERS AG	28.10	22,660.00
TOBIN LIVING TRUST	033323001	FOREST COVERS AG	39.20	43,820.00
TOBIN LIVING TRUST	033401002	FOREST COVERS AG	1.00	220.00
TOBIN LIVING TRUST	033417001	FOREST COVERS AG	9.00	5,820.00
URUSH LIVING TRUST	952755006	FOREST COVERS RESIDENTIAL	6.80	26,670.00
YOUNGERS CONNIE R	042749004	OPEN PRAIRIES RESIDENTIAL	6.19	24,000.00
Total			1,441.34	2,131,080

2) This resolution shall take effect immediately.

Moved by Sunderbruch, seconded by Earnhardt that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) That the Family Farm Tax Credit Resolution dated December 4, 2014 denies an application from Steven Vandewalle because properties had been sold to another owner. The correct name should be Roger Vandewalle. 2) This resolution shall take effect immediately.

Moved by Sunderbruch, seconded by Holst the third and final reading of an ordinance amending Chapter 3 "Appointed Officers and Departments" of the Scott County Iowa Code. Roll Call: All Ayes.

AN ORDINANCE AMENDING CHAPTER 3 APPOINTED OFFICERS AND DEPARTMENTS OF THE SCOTT COUNTY IOWA CODE, BY AMENDING NUMEROUS SECTIONS THERETO

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

Section 1. That Chapter 3 of the Scott County Iowa Code, be and the same is hereby amended to read as follows:

SECTIONS:

- 3-1. OFFICE OF THE ADMINISTRATOR
 - 3-2. AUTHORITY, DUTIES AND RESPONSIBILITIES OF THE COUNTY ADMINISTRATOR
 - 3-3. DEPARTMENT OF INFORMATION TECHNOLOGY
 - 3-4. AUTHORITY, DUTIES AND RESPONSIBILITIES OF THE DIRECTOR OF INFORMATION TECHNOLOGY
 - 3-5. DEPARTMENT OF FACILITIES AND SUPPORT SERVICES
 - 3-6. AUTHORITY, DUTIES, AND RESPONSIBILITIES OF THE DIRECTOR OF FACILITIES AND SUPPORT SERVICES
 - 3-7. DEPARTMENT OF COMMUNITY SERVICES
 - 3-8. AUTHORITY, DUTIES AND RESPONSIBILITIES OF THE DIRECTOR OF COMMUNITY SERVICES
 - 3-9. DEPARTMENT OF HUMAN RESOURCES
 - 3-10. AUTHORITY, DUTIES AND RESPONSIBILITIES OF THE HUMAN RESOURCES DIRECTOR
 - 3-11. DEPARTMENT OF PLANNING AND DEVELOPMENT
 - 3-12. AUTHORITY, DUTIES AND RESPONSIBILITIES OF THE DIRECTOR OF PLANNING AND DEVELOPMENT
 - (NEW) 3-13 DEPARTMENT OF BUDGET AND ADMINISTRATIVE SERVICES
 - (NEW) 3-14 AUTHORITY, DUTIES AND RESPONSIBILITIES OF THE DIRECTOR OF BUDGET AND ADMINISTRATIVE SERVICES
 - (NEW) 3-13 JUVENILE DETENTION CENTER
 - (NEW) 3-14 AUTHORITY, DUTIES AND RESPONSIBILITIES OF THE JUVENILE DETENTION CENTER DIRECTOR
- NOTE: COUNTY ENGINEER - SEE CODE OF IOWA SECTION 309.16 THROUGH 309.21

Section 2. That Section 3-2 of the Scott County Iowa Code, be and the same is hereby amended to read as follows:

SEC. 3-2 AUTHORITY, DUTIES AND RESPONSIBILITIES OF THE COUNTY ADMINISTRATOR

A. The County Administrator serves as the principal advisor to the Board of Supervisors in all matters relating to the overall management of county government operations.

B. The County Administrator shall have direct administrative authority over all operating departments within the scope of responsibility of the Board of Supervisors.

C. The County Administrator shall prescribe the accepted standards of administrative practice for all operating departments within the scope of responsibility of the Board of Supervisors.

D. The County Administrator shall execute and enforce all resolutions and orders of the Board of Supervisors and see that all laws required to be enforced through the Board of Supervisors or by operating departments subject to its control are faithfully executed.

E. The County Administrator is authorized by the Board of Supervisors to take any reasonable ministerial action necessary in carrying out the responsibilities assigned to him, and to act at his discretion, upon matters not covered by Board policy or strictly prohibited by the Code of Iowa or this code. Such action will be reported to the Board of Supervisors as soon as practicable thereafter.

F. The County Administrator may delegate to appropriate department heads or professional staff members the authority to discharge certain duties and responsibilities vested in him by the Board of Supervisors. However, the delegation of such authority does not relieve the County Administrator of ultimate accountability and responsibility.

G. The County Administrator shall be responsible for the preparation, review and submission (in conjunction with the County Auditor as provided by the Code of Iowa) of a proposed annual operating budget plan for consideration by the Board of Supervisors. As such, a copy of the budget requests of all operating departments, including those under the direction of other elected county officials, and appointed boards, commissions, or other agencies receiving County funding, shall be submitted to the County Administrator in accordance with an annual budget planning calendar and in compliance with such dates and dead-lines as identified in the Code of Iowa. All departmental budget requests shall be in the format and contain such content as prescribed by the County Administrator.

H. The County Administrator shall be responsible for the development of all proposed capital program plans and the financing thereof, for consideration by the Board of Supervisors. He shall further be responsible for the execution of, and status reporting for all capital projects approved by the Board of Supervisors.

I. The County Administrator or his designee shall have access to the books and papers of all operating departments, for purposes of gathering appropriate data required in support of the execution of the official duties of the Administrator's Office or in compliance with specific directions of the Board of Supervisors.

J. The County Administrator is responsible for periodic reporting of the status of the certified or amended annual operating budget, as well as the status of all active funds. Such reporting shall be done in cooperation with the appropriate elected officials having statutory authority and/or responsibility.

K. The County Administrator is responsible for the review and recommendation of all County operating department personnel appointments and other personnel items to be brought before the Board of Supervisors for their consideration and action.

L. The County Administrator shall have the authority to fill vacancies in authorized positions below department head level, within the limitations of budget funding and in conformance with established personnel policies. Such personnel appointments shall be filed bi-weekly in conjunction with Board of Supervisors meetings.

M. The County Administrator shall be authorized to approve compensation step increases that are in conformance with personnel policies.

N. The County Administrator is responsible for the review and assessment of all administrative matters to be considered by the Board of Supervisors. All administrative items to be considered by the Board of Supervisors shall be forwarded to the Chairman of the Board of Supervisors by the County Administrator for purposes of assigning to the appropriate committee for consideration.

O. The County Administrator may recommend appropriate administrative organizational structures and/or administrative reorganizations as he deems necessary for the efficient and effective operation of County government.

P. The County Administrator may recommend policy to the Board of Supervisors.

Q. The County Administrator shall be responsible for the management of all County facilities, except as responsibility for specific facilities is otherwise entrusted to county elected officials pursuant to the Code of Iowa.

R. The County Administrator shall be responsible for acquisition of all County goods and services in the most cost effective manner as possible, and in accordance with policies and procedures established by the Board of Supervisors and the State of Iowa.

S. The County Administrator shall present to the Board of Supervisors a recommended candidate for all department head position vacancies. The County Administrator will use a broad-based advisory selection committee represented by at least three elected office holders and three department heads in an advisory capacity during the selection process. The final decision relative to filling department head vacancies shall be made by the Board of Supervisors based upon the aforementioned selection process. For purposes of this section department head positions include the Director of Information Technology, Director of Facilities and Support Services, Director of Community Services, Director of Human Resources, Director of Planning and Development, Juvenile Detention Center Director, Director of Budget and Administrative Services and County Engineer. The advisory selection committee members may also include the Health Department Director, or Conservation Director.

T. The County Administrator may, under the general direction of the Board of Supervisors, bring together various county elected office holders, departments, and agencies to work together on common problems, issues, or opportunities.

U. The County Administrator may, under the general direction of the Board of Supervisors, represent the Board of Supervisors in meetings with the following: elected office holders; county agencies not under the direct responsibility of the Board of Supervisors; local, state, and federal officials and agencies; community groups and agencies; and the general public.

V. The County Administrator has the authority to terminate employees, including department heads, of Departments of County Government not under the direct control of an elected official. Terminations of employees, other than department heads and employees covered by a collective bargaining agreement, shall be subject to the grievance procedure set forth in Scott County Policy S. Terminated department heads shall begin the grievance procedure at Step 4 of Policy S.

Section 3. That Section 3-3 of the Scott County Iowa Code, be and the same is hereby amended to read as follows:

SEC. 3-3. DEPARTMENT OF INFORMATION TECHNOLOGY

A. There shall be a Department of Information Technology responsible for coordination and monitoring of the County's information technology functions including technology needs assessment, development and support of in-house or third party computer applications and management of County's LAN/WAN network.

B. The Department of Information Technology shall be headed by a Director appointed by the Board of Supervisors.

C. The Director of Information Technology shall report to and be accountable to the County Administrator for the performance of the department's duties and responsibilities.

D. The Director of Information Technology shall be a full time employee of the County.

Section 4. That Section 3-5 of the Scott County Iowa Code, be and the same is hereby amended to read as follows:

SEC. 3-5. DEPARTMENT OF FACILITIES AND SUPPORT SERVICES

A. There shall be a Department of Facilities and Support Services responsible for the management of the County's physical facilities, including building maintenance, custodial services, building and parking lot security, records storage, space allocation planning, purchase card administrative functions, print shop and mailroom functions, administrative reception, and coordination of construction and remodeling projects.

B. The Department of Facilities and Support Services shall be headed by a Director appointed by the Board of Supervisors.

C. The Director of Facilities and Support Services shall report to and be accountable to the County Administrator for the performance of the department's duties and responsibilities.

D. The Director of Facilities and Support Services shall be a full time employee of the County.

Section 5. That Section 3-6 of the Scott County Iowa Code, be and the same is hereby amended to read as follows:

SEC. 3-6. AUTHORITY, DUTIES AND RESPONSIBILITIES OF THE DIRECTOR OF FACILITIES AND SUPPORT SERVICES

A. The Director of Facilities and Support Services serves as the principal management official in the planning, direction, operation, and control functions of the Department of Facilities and Support Services.

B. The Director of Facilities and Support Services shall have direct administrative authority over the employees of the Department of Facilities and Support Services, including responsibility for administering collective bargaining agreements and County personnel policies as appropriate to the department.

C. The Director of Facilities and Support Services shall be responsible for the maintenance and upkeep of County buildings and grounds, including the development and implementation of preventative maintenance program.

D. The Director of Facilities and Support Services shall be responsible for the cleaning and custodial upkeep of County buildings.

E. The Director of Facilities and Support Services shall be responsible for developing, implementing and administering a program to provide adequate security of County buildings and parking lots.

F. The Director of Facilities and Support Services shall be responsible for developing recommendations in regard to space allocation in County buildings, and shall act as the liaison between the County and tenants in County buildings.

G. The Director of Facilities and Support Services shall be responsible for the coordination of planning, construction and remodeling projects as assigned by the County Administrator and/or the Board of Supervisors including the development of the multi-year Capital Improvements Plan.

H. The Director of Facilities and Support Services shall be responsible for developing, implementing and administering a program for the proper storage of County records.

I. The Director of Facilities and Support Services shall be responsible for the coordination and monitoring of various support services used by County offices and departments. These support services include: print shop and mail functions; inbound, outbound and inter-office mail; copier and records imaging coordination; and administration of County motor pool.

J. The Director of Facilities and Support Services shall be responsible for the performance of special projects as assigned from time to time by the County Administrator and/or the Board of Supervisors.

Section 6. That Section 3-7 of the Scott County Iowa Code, be and the same is hereby amended to read as follows:

SEC. 3-7. DEPARTMENT OF COMMUNITY SERVICES

A. There shall be a Department of Community Services overseeing activity in the area of human services. The department shall be responsible for providing emergency assistance to indigent persons in the County to ensure that they have adequate food, housing and medical services, for acting as advocate and liaison to County residents in County, State, or private institutions, for acting as conservator, guardian or payee for mentally incompetent residents of the County, for coordination of interdepartmental activities related to mental health, for acting as liaison with the County Commission on Veteran Affairs.

B. The Department of Community Services shall be headed by a Director appointed by the Board of Supervisors. The Director shall serve as the General Relief Director.

Section 7. That Section 3-9 of the Scott County Iowa Code, be and the same is hereby amended to read as follows:

SEC. 3-9. DEPARTMENT OF HUMAN RESOURCES

A. There shall be a Department of Human Resources responsible for the planning, development and administration of the County's personnel management program, including recruitment, performance appraisal, classification and compensation,

training, collective bargaining negotiations and administration, administration of the employee benefits program for County employees and equal opportunity/affirmation action.

B. The Department of Human Resources shall be headed by a Director of Human Resources appointed by the Board of Supervisors.

C. The Director of Human Resources shall report to and be accountable to the County Administrator for the responsibilities.

D. The Director of Human Resources shall be a full time employee of the County.

Section 8. That Section 3-11 of the Scott County Iowa Code, be and the same is hereby amended to read as follows:

SEC. 3-11. DEPARTMENT OF PLANNING AND DEVELOPMENT

A. There shall be a Department of Planning and Development responsible for current and future land use and development planning; development and maintenance of the County rural address system; the disposition/maintenance of Scott County Industrial Park and tax deed properties; and building code administration.

B. The Department of Planning and Development shall be headed by a Director appointed by the Board of Supervisors.

C. The Director of Planning and Development shall report to and be accountable to the County Administrator for the performance of the department's duties and responsibilities.

D. The Director of Planning and Development shall be a full-time employee of the County.

Section 9. That Chapter 3 of the Scott County Iowa Code, be and the same is hereby amended by adding a new section 3-13 entitled Department of Budget and Administrative Services to read as follows:

3-13 Department of Budget and Administrative Services

A. There shall be a Department of Budget and Administrative Services responsible for the management of the County's fiscal internal control evaluation and development, budget and five year capital plan development, comprehensive annual financial reporting, municipal securities disclosure and debt covenant compliance, county-wide purchasing and purchase card administrative functions, administration of County ERP system, contract management, asset management, and fleet fiscal management.

B. The Department of Budget and Administrative Services shall be headed by a Director appointed by the Board of Supervisors.

C. The Director of Budget and Administrative Services shall report to and be accountable to the County Administrator for the performance of the Department's duties and responsibilities.

D. The Director of Budget and Administrative Services shall be a full time employee of the County.

E. The Director of Budget and Administrative Services shall be responsible for preparing the comprehensive annual financial report to accounting principles generally accepted in the United States of America.

F. The Director of Budget and Administrative Services shall be responsible for developing, implementing and administrating the annual budget and five year capital plan.

- G. The Director of Budget and Administrative Services shall be responsible for developing, implementing and administrating a central purchase function for all County elected officials and departments.
- H. The Director of Budget and Administrative Services shall be responsible for developing, implementing and maintaining an capital asset control system for all County equipment and property and providing appropriate interface with the County purchasing system.

Section 10. That Chapter 3 of the Scott County Iowa Code, be and the same is hereby amended by adding a new section 3-14 entitled Authority, duties and responsibilities of the Director of Budget and Administrative Services to read as follows:

3-14 Authority, duties and responsibilities of the Director of Budget and Administrative Services

- A. The Director of Budget and Administrative Services serves as the principal management official in the planning, direction, operation and control functions of the Department of Budget and Administrative Services, working closely with the operating departments and agencies of the County in all facets of the process.
- B. The Director of Budget and Administrative Services shall have direct administrative authority over the employees of the Budget and Administrative Services department including responsibility for administrating collective bargaining agreements and County personnel policies as appropriate to the Department.
- C. The Director of Budget and Administrative Services Director shall be responsible for monitoring revenues and expenditures of the approved County Budget and providing timely management financial reports including budget amendments respecting the same for the County Administrator. The Director will chair the County Financial Review Committee.
- D. The Director of Budget and Administrative Services shall be responsible for the procurement and administration of specialized accounting services such as the indirect cost plan, actuarial studies and bond compliance and reporting.
- E. The Director of Budget and Administrative Services shall be responsible for the performance of special projects as assigned from time to time by the County Administrator.
- F. The Director of Budget and Administrative Services shall be responsible for the preparation and coordination of the County annual financial report according to accounting principles generally accepted in the United States of America.
- G. The Director of Budget and Administrative Services shall be the fiscal agent for the Eastern Iowa Mental Health Region which includes duties of procurement, accounts payable and preparation of the comprehensive annual financial report and other financial management duties. The Director of Budget and Administrative Services reports directly the Eastern Iowa Metal Health Board in these matters.

Section 11. That Chapter 3 of the Scott County Iowa Code, be and the same is hereby amended by adding a new section 3-15 entitled Juvenile Detention Center to read as follows:

- A. There shall be a Juvenile Detention Center that focuses on juvenile justice and ensures the safety and security of detainees housed at the facility.

- B. The Juvenile Detention Center shall be headed by a Director appointed by the Board of Supervisors.
- C. The Juvenile Detention Center Director shall report to and be accountable to the County Administrator for the performance of the department's duties and responsibilities.
- D. The Juvenile Detention Center Director shall be a full-time employee of the County.

Section 12. That Chapter 3 of the Scott County Iowa Code, be and the same is hereby amended by adding a new section 3-16 entitled Authority, duties and responsibilities of the Juvenile Detention Center Director to read as follows:

- A. The Juvenile Detention Center Director serves as the principal management official in the Juvenile Detention Center with direction, operation and control of the functions of the Juvenile Detention Center Director.
- B. The Juvenile Detention Center Director shall have direct administrative authority over the employees of the Juvenile Detention Center including responsibility for administrating collective bargaining agreements and County personnel polices as appropriate to the Department.
- C. The Juvenile Detention Center Director shall develop and implement policies and procedures to meet the changing needs, regulations and guidelines pertaining to the operation of the Center and supervision of its clients.
- D. The Juvenile Detention Center Director shall ensure appropriate coordination and performance of the admission, supervision and release of juveniles in accordance with Departmental and legislated procedures and guidelines.
- E. The Juvenile Detention Center Director shall ensure appropriate documentation of Center activities are logged and maintained for internal and external audit, including but, not limited to: detainee daily logs, medication records, visitation records, Child Nutrition Program, and court orders for placement or release.
- F. The Juvenile Detention Center Director shall participate on local juvenile justice committees to ensure the Center functions and community role is appropriately conveyed and provides coordination with other juvenile justice systems in the area.
- G. The Juvenile Detention Center Director shall create and conduct appropriate training for new and current staff to ensure adherence to regulatory requirements, departmental procedures and behavior management programs.
- H. The Juvenile Detention Center Director shall administer the grievance procedures for detainees and investigates complaints in accordance with guidelines and takes appropriate action.

SEVERABILITY CLAUSE. If any of the provisions of this ordinance are for any reason illegal or void, then the lawful provisions of this ordinance, which are separable 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.

REPEALER. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

EFFECTIVE DATE. This ordinance shall be in full force and effective after its final passage and publication as by law provided.

Moved by Sunderbruch, seconded by Earnhardt that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) That the appointment of Arlen Beck to the Veteran Affairs Commission for a three (3) year term expiring on May 31, 2019 is hereby approved. 2) This resolution shall take effect immediately.

Moved by Sunderbruch, seconded by Earnhardt that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) That the appointment of Myron Scheibe, Eldridge, to the Zoning Board of Adjustment for a five (5) year term expiring on May 1, 2021 is hereby approved. 2) This resolution shall take effect immediately.

Moved by Sunderbruch, seconded by Holst that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) Scott Bowman has filed a petition with the Board making a complaint against Magellan Pipeline for the repair work done on a pipeline. 2) Mr. Bowman has exhausted all attempts to resolve this matter with Magellan Pipeline. 3) Per Iowa code Section 479.46, Mr. Bowman has submitted a petition with a description of damages which includes the offer for settlement. 4) The Board approves this petition to allow the landowner to commence proceeding by filing an application with the chief judge for the appointment of the compensation commission. 5) This resolution shall take effect immediately.

Moved by Sunderbruch, seconded by Earnhardt that the following resolution be approved. Roll Call: All Ayes.

BE IT RESOLVED: 1) The Scott County Board of Supervisors approves for payment all warrants numbered 275429 through 275687 as submitted and prepared for payment by the County Auditor, in the total amount of \$1,918,889.35. 2) This resolution shall take effect immediately.

Moved by Earnhardt, seconded by Kinzer a motion to adjourn. All Ayes.

Jim Hancock, Chair of the Board
Scott County Board of Supervisors

ATTEST: Roxanna Moritz
Scott County Auditor

Scott County Board of Supervisors
April 8, 2016 12:00 p.m.

The Board of Supervisors met pursuant to adjournment with Holst, Hancock, Earnhardt, Kinzer and Sunderbruch present.

Sharon Klumpp of Water and Company, discussed the selection and interview processes to the Board for the appointment of a new County Administrator.

Moved by Holst, seconded by Earnhardt at 12:45 p.m. a motion to close the meeting pursuant to Iowa Code Section 21.5(1)(i) to evaluate the professional competency of an individual whose appointment, hiring, performance, or discharge is being considered when necessary to prevent needless and irreparable injury to that individual's reputation and that individual requests a closed session. Roll Call: All Ayes.

Moved by Holst, seconded by Earnhardt at 1:53 p.m. a motion to convene in open session. Roll Call: All Ayes.

Moved by Earnhardt, seconded by Kinzer at 1:53 p.m. a motion to adjourn. All Ayes.

Jim Hancock, Chair of the Board
Scott County Board of Supervisors

ATTEST: Roxanna Moritz
Scott County Auditor

Scott County Board of Supervisors
April 19, 2016 8:00 a.m.

The Board of Supervisors met as a committee of the whole and pursuant to adjournment with Hancock, Earnhardt, Kinzer, Sunderbruch and Holst present.

Moved by Sunderbruch, seconded by Earnhardt at 9:23 a.m. a motion to adjourn.
All Ayes.

Jim Hancock, Chair of the Board
Scott County Board of Supervisors

ATTEST: Roxanna Moritz
Scott County Auditor

The Board of Supervisors met pursuant to adjournment with Hancock, Earnhardt, Kinzer, Sunderbruch and Holst present. The Board recited the pledge of allegiance.

Moved by Sunderbruch, seconded by Earnhardt approval of the minutes of the April 7, 2016 Regular Board Meeting, the minutes of the April 8, 2016 Special Board Meeting with Closed Session and the minutes of the April 19, 2016 Committee of the Whole Meeting. All Ayes.

Moved by Earnhardt, seconded by Kinzer that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) That the plan for the Integrated Roadside Vegetation Management (IRVM) for Scott County to be filed with the State of Iowa be approved.
2) That this resolution shall take effect immediately.

Moved by Earnhardt, seconded by Sunderbruch the second of three readings of an ordinance to repeal Chapter 6 of the Scott County Code and adopt a new Chapter 6. Roll Call: Hancock, Earnhardt, Sunderbruch voted Aye, while Holst and Kinzer voted Nay.

SCOTT COUNTY ORDINANCE NO. 16-
AN ORDINANCE TO REPEAL CHAPTER 6 OF THE SCOTT COUNTY CODE AND ADOPT A NEW CHAPTER 6 WHICH INCLUDES REGULATIONS TO ALLOW THE CREATION OF AN INDUSTRIAL FLOATING ZONE DISTRICT; REVISED DESCRIPTIONS OF THE GENERAL INTENT OF SOME ZONING DISTRICTS; CHANGES TO THE PERMITTED, ACCESSORY, AND SPECIAL USES PERMITTED IN SOME ZONING DISTRICTS; CLARIFICATION OF REGULATIONS FOR COMMUNITY AREA DEVELOPMENTS IN RURAL SCOTT COUNTY; AND CHANGES TO THE AREA, SETBACK, AND HEIGHT RESTRICTIONS OF PARTICULAR ZONING DISTRICTS
BE IT ENACTED BY THE BOARD OF SUPERVISORS OF SCOTT COUNTY, IOWA:
Section 1. Repeal all of Chapter 6, SCOTT COUNTY CODE, 2012.
Section 2. Adopt a new Chapter 6, SCOTT COUNTY CODE, which reads as follows:
Chapter 6
ZONING FOR UNINCORPORATED AREAS
6-1. TITLE
6-2. SCOPE AND PURPOSE
6-3. INTERPRETATION OF STANDARDS
6-4. FARM EXEMPTIONS
6-5. DEFINITIONS
6-6. GENERAL REGULATIONS AND PROVISIONS
6-7. NON-CONFORMING USES
6-8. ESTABLISHMENT OF DISTRICTS AND DISTRICT BOUNDARIES

ZONING DISTRICT REGULATIONS

- 6-9. "A-P" Agricultural-Preservation District.
- 6-10 "A-G" Agricultural-General District
- 6-11. "A-CSF" Agricultural-Commercial Service Floating District
- 6-12. "R-1" Single-Family Residential District
- 6-13. "R-2" Multi-Family Residential District
- 6-14. "CAD-R" Community Area Development Residential District
- 6-15. "CAD-PV" Community Area Development Park View Commercial District
- 6-16. "C-1" Neighborhood Commercial District
- 6-17. "C-2" Commercial and Light Industrial District
- 6-18. "I" Industrial District
- 6-19. "I-F" Industrial Floating District
- 6-20. "SW-F" Solid Waste Disposal Site Floating District
- 6-21. GENERAL PROVISIONS OF THE FLOODWAY, FLOODWAY FRINGE, AND FLOODPLAIN OVERLAY DISTRICTS
- 6-22. "FW" Floodway Overlay District
- 6-23. "FF" Floodway Fringe Overlay District
- 6-24. "GF" General Flood Plain Overlay District
- 6-25. MOBILE HOME PARK REGULATIONS
- 6-26. TRAVEL TRAILER PARK REGULATIONS
- 6-27. OFF STREET VEHICULAR PARKING REQUIREMENTS
- 6-28. SIGN AND BILLBOARD REGULATIONS
- 6-29. SITE PLAN REVIEW
- 6-30. ZONING BOARD OF ADJUSTMENT PROCEDURES
- 6-31. ZONING AMENDMENT PROCEDURES
- 6-32. COMMUNITY AREA DEVELOPMENT ADMINISTRATION
- 6-33. ZONING ADMINISTRATOR DUTIES
- 6-34. OCCUPENCY PERMITS
- 6-35. MUNICIPAL INFRACTION
- 6-36. VALIDITY AND SEVERABILITY
- 6-1. TITLE

This Chapter of the Scott County Code shall be known as the Zoning Ordinance for Unincorporated Scott County.

6-2. SCOPE AND PURPOSE

Except as may be hereinafter specified, no land, building, structure, or premises, hereafter shall be used and no structure may be located, constructed, extended, converted, structurally altered or otherwise developed without full compliance with the terms of this Ordinance.

This Ordinance is hereby amended to carry out the objectives and policies of the Scott County Comprehensive Plan, 2008 with approved addendums and amendments, and Code of Iowa, Chapter 335 County Zoning, (2015). The more specific purposes of this Ordinance are to implement the Comprehensive Plan and to preserve the availability of agricultural land; to protect farming operations; to promote the protection of soil from wind and water erosion; to encourage sound economic development including the creation of employment opportunities and the growth of the County tax base; to encourage efficient urban development patterns; to promote energy conservation and

the reasonable access to solar energy; to protect the health, safety, and the general welfare; to conserve property values and protect property rights; to conserve and protect our other natural resources; and to encourage the most appropriate use of land throughout the County.

6-3. INTERPRETATION OF STANDARDS

In the interpretation and application, the provisions of this Ordinance shall be held to be minimum requirements. Where this Ordinance imposes a greater restriction than is imposed or required by other provisions of law or by other rules, regulations, or restrictive covenants, the provisions of this Ordinance shall control.

All provisions of this Zoning Ordinance are intended to comply the terms, regulations and restrictions of the Code of Iowa, Chapter 21 Open Meeting Law, (2015).

For the purposes of this Ordinance, certain terms and words are hereby defined in Section 6-5. Words used in the present tense shall include the future, the singular number shall include the plural, and the plural number includes the singular; the words "shall," "must," and "will" are mandatory, the word "may" is permissive; the word "person" includes an individual, firm association, organization, partnership, trust, company, or corporation; the words "used" or "occupied" include the words "intended," "designed," or "arranged" to be used or occupied."

6-4. FARM EXEMPTIONS

A. Except to the extent required to implement Sections 6.21 through 6-24 (Floodplain Regulations), no regulation adopted under the provisions of this Ordinance shall be construed to apply to farm land, farm houses, farm barns, farm outbuildings, or other buildings or structures which are primarily adapted, by reason of nature and area for use for agricultural purposes, while so used.

(1) Agricultural buildings and land uses are not exempt from complying with any Federal, State, or local regulations concerning developing, depositing, or excavating in or on the designated Scott County Floodplain.

(2) It shall be the responsibility of any person or group claiming that certain property or buildings are entitled to exemption on the basis of this Section to demonstrate that the property and buildings are primarily adapted and used for agricultural purposes in accordance with the policies for determining such exemption established by the Scott County Comprehensive Plan.

B. A special exemption applies to certain matters regulated by the Iowa Utility Board. The exemption from complying with the ordinance applies to franchised electric transmission and gas/commodity pipe lines and associated structures and equipment. Exempted franchised utilities are urged to comply voluntarily with the zoning requirements and Scott County Land Use Policies. This exemption does not include communications towers for telephone, cellular, and cable television companies, and other public and private towers as referenced in Section 6-9 D.(1) herein below.

6-5 DEFINITIONS

1. **ACCESSORY BUILDING:** A structure which is secondary or subordinate to the principal building on the same lot or tract and used for a permitted accessory use.

2. **ACCESSORY PERMITTED USE:** An activity which is secondary or subordinate to the principal use on the same lot or tract and serving a purpose customarily incidental to the use of the principal building or use of land.

3. ADULT: As used in this Ordinance, refers to persons who have attained the age of at least eighteen (18) years.
4. ADULT BOOKSTORE: An establishment having as a substantial or significant portion of its stock in trade, books, magazines, and other periodicals which are distinguished or characterized by their emphasis on matter depicting or describing or relating to "Specified Sexual Activities" or "Specified Anatomical Areas", (as defined below) or an establishment with a segment or section devoted to the sale or display of such material.
5. ADULT MOTION PICTURE THEATER: An enclosed building used predominately for presenting motion pictures, slides, or photographic reproductions distinguished or characterized by an emphasis on matters depicting, describing, or relating to "Specified Sexual Activities" or "Specified Anatomical Areas", (as defined herein) for observation by persons compensating the business therein.
6. AGRICULTURE: See Farming.
7. BASEMENT: A story having more than one-half (1/2) of its height below the average grade surrounding the building. A basement is not counted as a story for height regulation purposes. See also "lowest floor" definition for flood plain requirements.
8. BED AND BREAKFAST HOME: A private residence which provides lodging and meals for transient guests, in which the host or hostess resides and in which no more than four guest families are lodged at the same time and which, while it may advertise and accept reservations, does not hold itself out to the public to be a restaurant, hotel or motel, does not require reservations and serves food only to overnight guests and operates in compliance with applicable Iowa Code.
9. BILLBOARD: Any structure or portion of a building used for the display of advertising of a business or attraction which is not conducted on the premises upon which said billboard is located. Such off-premise advertising includes painted exterior walls with pictures, words, or logos and electronic message boards.
10. BUILDING: Any structure designed or intended for the support, enclosure, shelter or protection of persons, animals, or property, including mobile homes, but not including signs or billboards.
11. BUILDING, HEIGHT OF: The vertical distance from the average natural grade to the highest point of a flat roof, or the deck line of a mansard roof, or the average height of highest gable of a pitch or hip roof.
12. BUILDING OFFICIAL: The individual designated by the Board of Supervisors to review and inspect new construction and enforce the Scott County International Construction Codes.
13. BULK STORAGE PLANT: That portion of property where hazardous or flammable liquids or gases are received by pipeline, tank cars, or tank vehicles, and are stored in bulk above the ground for the purpose of distributing such liquids or gases, where the aggregate capacity of all storage on the property exceeds twelve thousand (12,000) gallons.
14. BUSINESS OR COMMERCIAL: When used in this Ordinance, the term refers to engaging in the purchase, sale, or exchange of goods or services, or the operation of offices, services, recreational or amusement enterprises.
15. CELLAR: A portion of a building below the lowest floor which is not used for habitation. It may be a crawl space or storage space, if it complies with the Scott County

Construction Codes. A cellar is not counted as a story for height regulation purposes. See also "lowest floor" definition for flood plain requirements.

16. CHANNEL: A natural or artificial watercourse of perceptible extent, with a definite bed and banks to confine and conduct continuously or periodically flowing water. Channel flow is that water which is flowing within the limits of a defined channel.

17. CLINICS: A building or buildings used by any licensed professionals, such as physicians, lawyers, counselors, dentists, chiropractors, and other public or private professions for the care of persons requiring such professional service; this does not include veterinary or animal clinics.

18. CORN SUITABILITY RATING (CSR): The most current official index for ranking the productivity of soils and their suitability for row-crop production in Iowa. The CSR system rates soils from five (5) to one hundred (100), with one hundred (100) reserved for those soils a) located in areas of the most favorable weather conditions in Iowa, b) that have high yield potential, and c) that can be continuously row cropped. (A detailed description of the CSR system, including methodology and CSR estimates for various soil types, may be found in publications of the Agricultural Extension Service, Iowa State University.)

19. DAY NURSERY, NURSERY SCHOOL, OR DAY CARE (PUBLIC): Any agency, institution, establishment, or place which provides supplemental parental care and/or educational work, other than lodging overnight, for seven (7) or more children of pre-school age for compensation.

20. DEVELOPMENT: Any man-made change to alter the existing land use of a parcel of land including and not limited to the construction of buildings or structures, mining, dredging, filling, grading, excavation or paving.

21. DIRECTOR: A term referring to the individual designated by the Board of Supervisors as the Zoning Administrator of the Department of Planning and Development or his/her designee who has responsibility for County zoning administration. This term is intended to refer to the responsibilities of this position in addition to that of being the principal administrative official for this ordinance.

22. DISTRICT: An area or section of unincorporated Scott County within which the regulations governing the use of buildings and property or the height and area of buildings are uniform.

23. DISTRICT, FLOATING: A zoning district established over an existing district, in so doing superseding the regulations of the underlying district with those of the floating district. The specific use(s) for which the floating zone is established, along with a detailed site plan showing how the property will meet County development standards for that use or uses is required prior to establishment of the particular floating district.

24. DISTRICT, OVERLAY: A zoning district established over an existing district, in so doing leaving the regulations of the underlying district in place and adding the additional regulations of the overlay district. The General Floodplain Overlay District which is established in Special Flood Hazard Areas is an example of an overlay district.

25. DRIVEWAY: A private drive providing access for vehicles and pedestrians to the property and/or the principal building or use from the adjacent road or street.

26. DWELLING UNIT: Any building or portion thereof having one or more habitable rooms which are designed to be occupied by one family with facilities for living, sleeping, cooking, eating, and sanitation. The dwelling unit shall be constructed in

compliance with the Scott County Construction Codes or the U.S. Department of Housing and Urban Development Code under authority of 42 U.S.C., Sec. 5403, Federal Manufactured Home Construction and Safety Standards, whichever is applicable. A dwelling unit shall have a floor area of at least 640 square feet, have a minimum width of 20 feet for at least 75% of its narrowest dimension, and be placed on permanent foundation, and be taxed as real property.

27. DWELLING, SINGLE-FAMILY: A building designed for or occupied exclusively for residence purposes by one (1) family. These may be "Detached" so that the dwelling unit is the only one within the structure or "Attached" where there are two, but no more than two, dwelling units within a single structure. With an Attached Single-Family Dwelling each unit is considered a separate building under the provisions of the Scott County International Construction Code, the two units are separated by a common wall and there is a lot line which follows that common wall and extends to define two separate lots. (See also 6-6 H. "Zero Lot Line".)

28. DWELLING, TWO-FAMILY (DUPEX): A building designed for or occupied by two (2) families only, with separate exterior entrances, housekeeping, cooking and sanitation facilities for each dwelling.

29. DWELLING, TOWNHOUSE: A single family dwelling unit constructed in a row of three or more attached units in which each unit extends from the foundation to the roof and with a yard or public access on at least two sides.

30. DWELLING, MULTIPLE-FAMILY: A building or buildings with three (3) or more dwelling units, with separate housekeeping, cooking and sanitation facilities for each unit. Building may be under one (1) title owner, or a separate title of ownership for each dwelling unit.

31. EASEMENT: A grant of one or more of the property rights by the owner to, or for the use by, the public, adjacent property owner, a corporation, or another person or entity.

32. FAMILY: One (1) or more persons occupying a single dwelling unit, provided that unless all are related by blood, marriage, or adoption, no such family shall contain over five (5) persons.

33. FARM: A tract of land primarily adapted and used for agricultural purposes and assessed as agricultural property.

34. FARMING: The science or art of producing agricultural products which involves cultivating the soil and producing crops for food, fiber, fuel or consumer products, or the raising of livestock for food or other consumer products. Farming does not include residential gardening or keeping of livestock for recreational or hobby purposes (See definition of "livestock", "kennel, commercial", "kennel, private", "stable, private", and "stable, public").

35. FARM BUILDING: An enclosed building or other structure primarily adapted and used for agricultural purposes located on a farm.

36. FARM HOUSE: A single-family residence located on a farm and occupied by a farmer.

37. FARMER: A person or persons actively engaged in farming or someone who is retired from farming when it relates to the land the farmer formerly farmed.

38. FARMSTEAD: The area of a farm containing a farm house(s) or an area that can be shown at one time to be the location of a farm house. The farmstead may also include

farm buildings, other associated farm structures and adjacent service or yard areas along with any adjacent timber, shelter belts or pond areas of the farm.

39. FLOOD: A general and/or temporary rise in stream or river flow or flood stage that results in water overflowing its banks and inundating normally dry land areas adjacent to the channel, or from the unusual and rapid accumulation of runoff or surface waters from any source.

40 FLOOD ELEVATION: The elevation floodwaters would reach at a particular site during the occurrence of a specific flood.

41. FLOOD INSURANCE RATE MAP (F.I.R.M.): The official map prepared by the Federal Emergency Management Administration (FEMA) as a part of the Flood Insurance Study of a community, delineating both the special flood hazard areas and the risk premium zones applicable to such areas.

42. FLOOD INSURANCE STUDY: A study initiated, funded, and published by FEMA for the purpose of evaluating in detail the existence and severity of flood hazards; providing the County with the necessary information for adopting a flood plain zoning ordinance; and establishing actuarial flood insurance rates.

43. FLOOD PLAIN: Any land area susceptible to being inundated by water as a result of a flood; also referred to as Special Flood Hazard Area (SFHA).

44. FLOOD PLAIN MANAGEMENT: The operation of an overall program of correction and preventive measures for reducing flood damage and promoting the wise use of floodplains, including but not limited to, emergency preparedness plans, flood control works, floodproofing, and floodplain management regulations.

45. FLOODPROOFING: Any combination of structural and nonstructural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, mechanical equipment, structures and their contents.

46. FLOODWAY: The channel of a river or other watercourse and the adjacent land areas, which are reasonably required to carry and discharge flood waters or flood flows so that confinement of flood flows to the floodway area will not result in substantially higher flood levels and flow velocities.

47. FLOODWAY FRINGE: That area of the flood plain, outside of the floodway, that can be filled, leveled or otherwise obstructed without causing substantially higher flood levels or flow velocities.

48. GARAGE, PRIVATE: An enclosed structure intended for the parking of the private motor vehicles of the families residing upon the premises and accessory to the residence.

49. GARAGE, PUBLIC: Any commercial building on premises used for equipping, refueling, servicing, parking, repairing, selling, or storing motor-driven vehicles.

50. GRADE: The average level of the finished surface of the ground within five feet from the exterior walls of the building.

51. GROUP HOUSING: A building or place where lodging or boarding is provided for compensation or not; for five (5) or more individuals, but not open to transient guests as would be found in a motel/hotel. Normally associated with a charitable organization or government financed program to assist unique groups of people.

52. **HEALTH CARE FACILITY:** An establishment for provisions of care to persons suffering from illness, injury or disability and includes hospitals, custodial homes, nursing homes, convalescent homes, extended care facilities, and similar facilities.
53. **HEALTH CLUB:** A non-medical service establishment intended to maintain or improve the physical condition of paying customers and that has exercise and/or game equipment and facilities, steam baths, saunas, hot tubs, or similar equipment.
54. **HOME INDUSTRY:** An accessory use of a light industrial or commercial carried on entirely within the residence and/or an accessory building by a member of the family residing on the premises where there is no evidence, excluding permitted signage, of such occupation being conducted on the premises by virtue of exterior displays or unscreened outdoor storage, excessive noises, obnoxious odors, electrical disturbances or a significant increase in vehicular activity. A home industry shall comply with restrictions of Section 6-6.V.
55. **HOME OCCUPATION:** An accessory use carried on entirely within the residence by a member of the family residing on the premises where there is no evidence, excluding permitted signage, of such occupation being conducted on the premises by virtue of exterior displays or unscreened outdoor storage, excessive noises, obnoxious odors, electrical disturbances or a significant increase in vehicular activity. A home occupation shall comply with restrictions of Section 6-6.V.
56. **HOTEL:** An establishment which is open to any number of transient guests that provides sleeping quarters and private baths, maid service, and other services and facilities to assist the traveling public. In some cases, it may provide long-term housing to the public.
57. **INDUSTRIAL:** When used in this Ordinance, term refers to a use engaged in the basic processing and manufacturing of material or products predominately from extracted or new materials, or a use engaged in the storage of, or manufacturing processes using flammable or explosive materials, or storage or manufacturing processes that potentially involve hazardous or commonly recognized significant environmental impacts. Also uses involving the salvage dismantling, recycling, or re-manufacturing of materials, equipment or vehicles. These uses may include sizable areas for operations and storage of materials outside of an enclosed building.
58. **INDUSTRIAL, LIGHT:** When used in this Ordinance, term refers to a use conducted primarily within enclosed buildings engaged in the manufacture, predominantly from previously prepared materials, of finished products or parts, including processing, fabrication, assembly, treatment, packaging and a use engaged in warehousing, distribution, wholesale trade, and catalogue sales.
59. **INSTITUTION:** A building or use occupied or run by a government agency, non-profit organization, or institution of higher learning to serve the social, educational, charitable, and/or religious needs of the public.
60. **JUNK OR SALVAGE YARD:** An industrial site where metals, plastics, wood, appliances, equipment or vehicles and other discarded or salvaged materials are bought, sold, exchanged, baled, stored, packed, dis-assembled, or sorted for profit or not for profit. Includes the dismantling or wrecking of vehicles, appliances, machinery, or equipment and the dismantling, sorting and resale of building materials salvaged from building sites.

The visible presence of two (2) or more junk vehicles on any subdivision lot in a residential zoning district or three (3) or more junk vehicles on any parcel of land in an agricultural zoning district shall constitute prima facie evidence of a junk yard and is a violation of this Ordinance.

61. JUNK VEHICLE: A motorized vehicle including autos, trucks, motorcycles, race cars, etc., which does not have a current IDOT registration or has one of two following conditions: parts have been removed for re-use, salvage, or sale or the vehicle has not or been incapable of operating under its own power for more than 30 days.

62. KENNEL, COMMERCIAL: Any establishment where four or more dogs, cats, or other animals normally allowed outdoors, six months or older, are kept for breeding boarding, grooming, selling, or training services in return for a consideration.

63. KENNEL, PRIVATE: A non-commercial kennel at a private residence where four (4) or more dogs, cats, or both, are kept for the hobby of the householder, as opposed to a commercial kennel. The keeper of a hobby kennel may keep up to ten adult dogs or cats per year and may raise and sell not more than fifteen (15) offspring during any calendar year before being considered a commercial kennel.

64. LIVESTOCK: Cattle, horses, sheep, swine, poultry, or any other animal or fowl which are produced primarily for food, fiber or other commercial purposes.

65. LOT: A parcel of land at least sufficient in size to meet minimum zoning requirements for use, coverage, and area to provide such yards and other open space as are herein required. Such lot shall have legal access to a public or private street and may consist of:

(a) A single lot of record for which the contract of purchase or deed has been recorded in the Office of the Recorder of Scott County, Iowa prior to April 2, 1981;

(b) A parcel of land described by metes and bounds, if created and recorded in the Recorder's Office prior to July 1, 1990; or

(c) A parcel described with a Plat of Survey approved by the Zoning Administrator and recorded in the Recorder's Office; or

(d) A parcel described by a landowner and rented to an individual, family, or corporation for residential or recreational purposes (such as river camp lots or mobile home lots), provided documentation of the rental agreement and continuous occupancy since April 2, 1981 can be shown.

If lots are combined or divided to form such a lot as described above, any residual lot or parcel created must meet the requirements of this Ordinance.

66. LOT AREA: Total horizontal area within lot lines.

67. LOT, CORNER: A lot abutting upon two (2) or more streets at their intersection.

68. LOT DEPTH: The mean horizontal distance between the front and rear lot lines.

69. LOT, DOUBLE-FRONTAGE: A lot having a frontage on two (2) non-intersecting streets, as distinguished from a corner lot. The yard opposite the direction the front of the house is facing may have accessory buildings and structures, but still must meet the front yard setbacks.

70. LOT, INTERIOR: A lot other than a corner lot or double frontage lot.

71. LOT LINES: The lines bounding a lot, including the adjacent road right-of-way or easement line along the frontage. The front lot line separates the lot from the street right of way or road easement on which the lot fronts. In the case of a corner or double frontage lot all lot lines adjacent to street right of way or road easement shall be

considered front lot lines. The rear lot line is opposite and most distant from the front lot line. In the case of an irregularly shaped lot, the rear lot line shall be the imaginary line parallel to and most distant from the front lot line at the point where the lot width is not less than ten feet. In the case of a corner lot, the rear lot line would be one of the lines parallel to one of the front lot lines and designated when a building permit is issued. A side lot line is any lot line that is neither a front nor a rear lot line. (Also see definition of Yard, Front, Rear, Side.)

72. LOT WIDTH: The width of a lot measured at the building line and at right angles to its depth.

73. LOWEST FLOOR: The floor of the lowest enclosed area in a building except when the following criteria are met:

- (a) The enclosed area is designed to flood to equalize hydrostatic pressure during flood with walls or openings that satisfy the provisions of the "FF" District; and
- (b) The enclosed area is unfinished (not carpeted, sheet rocked, or have other trim or interior finishes) and used solely for low damage potential uses such as building access, parking, and storage; and
- (c) Machinery and service facilities (e.g., hot water heater, furnace, electrical service) contained in the enclosed area are located at least one (1) foot above the 100-year flood level; and
- (d) The enclosed area is not a "basement" as defined above.

In cases where the lowest enclosed area satisfies criteria a, b, c, and d above, the lowest floor is the floor of the next highest enclosed area that does not satisfy the criteria above.

74. MASSAGE ESTABLISHMENT: Any establishment having a fixed place of business where massages are administered for any form of consideration or gratuity; including, but not limited to massage parlors, health clubs, sauna baths, and steam baths. Refer to Scott County Code Chapter 15 for details.

75. MANUFACTURED HOME: A factory-built structure, which is manufactured or constructed under the authority of 42 U.S.C., Sec. 5403 and is to be used as a place for human habitation as defined by a dwelling unit, but which is not constructed or equipped with a permanent hitch or other device allowing it to be moved other than for the purpose of moving to a permanent site, and which does not have permanently attached to its body or frame any wheels or axles. Any factory-built structure used for human habitation which does not meet all the above requirements is considered a mobile home and shall be regulated as a mobile home.

76. MOBILE HOME: Any vehicle, not registered as a motor vehicle in Iowa, used or so manufactured or constructed as to permit its being used as a conveyance upon the public streets

and highways and so designated, constructed, or reconstructed, as will permit the vehicle to be used as a place for human habitation by one (1) or more persons. A mobile home is not a manufactured home unless it has been converted to comply with the requirements as a manufactured home.

77. MOBILE HOME PARK: Any site, lot, or tract of land upon which two (2) or more occupied mobile homes are located.

78. MOTEL: An establishment which is open to any number of transient guests that provides sleeping quarters and private baths, maid service, and other services and

facilities to assist the traveling public. In some cases, it may provide long-term housing to the public.

79. **NEW CONSTRUCTION:** Those structures or development for which the start of construction began on or after June 1, 1977 -the effective date of the initial Flood Insurance Rate Map.

80. **NON-CONFORMING USE:** Any building or land lawfully used at the time of the effective date of this Ordinance which does not conform after the effective date of this Ordinance with the use regulations of the District in which it is situated.

81. **ONE HUNDRED (100) YEAR FLOOD:** A flood which has the magnitude and statistical likelihood of occurring once every one hundred (100) years. There is a one in one hundred (1%) chance in any year for such a flood.

82. **PARKING SPACE:** A permanently surfaced area of not less than one hundred eighty (180) square feet plus necessary maneuvering space for the parking of a motorized vehicle. For handicapped parking, the space will not be less than required by State of Iowa Administrative Rules.

83. **PERMANENT FOUNDATION:** A site-built or site-assembled structure or system of stabilizing devices. It must be capable of transferring design dead loads and live loads required by Federal regulations and other design loads unique to local home sites, wind, seismic, soil, and water side conditions that may be imposed on the structure. The foundation shall be to a depth of not less than forty-two inches (42") below grade and constructed of materials approved by the adopted edition of the International Residential Code.

84. **PERMITTED USES:** Those uses expressly allowed, or permitted by right, in the zoning district(s) in which they are listed.

85. **PRINCIPAL USE:** The primary use of land or structure as distinguished from an accessory use.

86. **RIGHT-OF-WAY:** A type of easement reserved by a governmental agency giving it or the public the right to travel on, over, and under the area which is generally reserved for vehicular and pedestrian access to adjacent properties as well as the placement of public and private utilities and also including stormwater drainage.

87. **ROADSIDE STAND:** A temporary structure, unenclosed, and so designed and constructed that the structure is easily portable and can be readily moved. Used for the sale of farm products, primarily produced on the premises.

88. **SANITARY LANDFILL:** A site where solid wastes are disposed of by utilizing the principles of engineering to confine the solid waste to the smallest practical volume and to cover it with a layer of earth so that no nuisance or hazard to the public health is created.

89. **SEXUAL ACTIVITY ESTABLISHMENT (ADULT ENTERTAINMENT CENTER):** An establishment used for the display of live presentations distinguished or characterized by an emphasis on matter depicting or describing or relating to specified sexual activities or specified anatomical areas. Provided that the provisions of this section shall not apply to a theater, concert hall, art center, museum, or similar establishment, which is primarily devoted to the arts or theatrical performances, and which is not primarily devoted to presentations distinguished or characterized by an emphasis on matter depicting or describing or relating to specified sexual activities or specified anatomical areas.

90. SIGN: Any word(s), lettering, figures, emblems, pictures, trade names, or trademarks used by an individual, firm, or association, a corporation, a profession, a business, a service, a community, a church, or school and visible from any public street or right-of-way and designed to attract attention for commercial or non-profit purposes. This is not to be construed to include directional signs erected or required by governmental bodies, legal notices, signs bearing only property numbers or names of occupants on premises.

91. SPECIAL PERMITTED USES: Those uses which, due to their unique character/nature and potential impacts upon surrounding properties, are subject to approval by the Zoning Board of Adjustment in the zoning district(s) in which they are listed.

92. SPECIFIED SEXUAL ACTIVITIES: As used in this Ordinance, defined as: (a) human genitals in a state of sexual stimulation or arousal; (b) acts of human masturbation, sexual intercourse or sodomy; (c) fondling or other erotic touching of human genitals, pubic region, buttocks, or female breasts.

93. SPECIFIED ANATOMICAL AREAS: As used in this Ordinance, defined as: (a) less than completely and opaquely covered (1) human genitals, pubic region; (2) buttocks; and (3) female breasts below a point immediately above the top of the areola; and (b) human male genitals in a discernible turgid state, even if completely and opaquely covered.

94. STABLE, PRIVATE: A building or structure with four (4) enclosed walls used or intended to be used for housing horses belonging to the owner of the property, only for non-commercial purposes.

95. STABLE, PUBLIC: A building or structure used or intended to be used for the housing only of horses on a fee basis. Riding instruction may be given in connection with the public stable.

96. START OF NEW CONSTRUCTION: Includes substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, re-construction, placement or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on the site, such as the pouring of slab or footings, the installation of piers, the construction of columns, or any work beyond the stage of excavation, or the placement of a factory-built home on a foundation.

97. STORY: That portion of a building included between the surface of any floor and the surface of the floor above it, or, if there be no floor above it, then the space between the floor and the ceiling or roof next above it.

98. STREET: All land between right-of-way lines or road easement lines dedicated to a governmental unit or perpetually restricted to access. The definition includes the terms road, street, avenue, and highway, no matter how named, whether public or private, but does not include private driveways from a street to a house.

99. STRUCTURAL ALTERATIONS: Any replacement or change in the type of construction or in the supporting members of the building, such as bearing walls or partitions, columns, beams or girders, beyond ordinary repairs and maintenance.

100. STRUCTURE: Anything constructed or erected with a fixed location on the ground, attached to the ground, or which is attached to something having a permanent location

on the ground, including, but not limited to buildings which require building permits, factory-built homes, billboards, or poster panels, storage tanks, or similar uses.

101. SUBDIVISION: The accumulative effect of dividing an original lot, tract, parcel of land or aliquot part, as of January 1, 1978, into three (3) or more lots (including the parent parcel) for the purpose of immediate or future sale, transfer or development purposes. The term includes a re-subdivision or re-platting. When appropriate to the context, the word may relate to the process of subdividing or the land subdivided.

102. SUBSTANTIAL DAMAGE: Flood damage sustained by a structure where the cost of restoring the structure to its prior condition would equal or exceed fifty (50) percent of the assessed value of the structure before the damage occurred.

103. SUBSTANTIAL IMPROVEMENT: Any repair, reconstruction, or improvement of a structure, the cost of which equals or exceeds fifty percent (50%) of the assessed value of the structure before the improvement or repair is started. For the purposes of this definition, "substantial improvement" is considered to occur when the first alteration affects the external dimensions of the structure. The term does not include, however, any project for improvement of a structure to comply with existing state or local health, sanitary, or safety code specifications which are solely necessary to assure safe conditions for the existing use.

104. TRAVEL TRAILER: A recreational vehicle, with or without motive power, designed as a temporary dwelling, not exceeding eight (8) feet in width and forty (40) feet in length, exclusive of separate towing unit. Such vehicles are customarily and ordinarily used for travel or recreational purposes and not used for permanent habitation.

105. TRAVEL TRAILER PARK (CAMP): An area licensed and used or offered for use in whole or in part, with or without charge, for the parking of occupied travel trailers, pickup campers, converted buses, motor homes, tent trailers, tents, or similar devices used for temporary, portable housing. Unoccupied mobile homes, travel trailers, and similar devices may be stored in the Park, but only in an area marked for storage. No repair, maintenance, sales, or servicing of such devices are allowed in the Park.

106. VEHICLE PARKING AND CIRCULATION AREAS: The areas on a lot or parcel where motor vehicles of customers, employees, visitors or building occupants park on a day to day basis. This includes all areas where vehicles are permitted to park, load and unload and circulate from the adjacent street or road to the building(s) or facilities on the property including, marked parking stalls, access lanes and driveways. All such areas must meet the Iowa Statewide Urban Design and Specifications (SUDAS) Chapter 12, Parking Lots, Sections 1-6.

107. VEHICLE STORAGE AREAS: The areas on a lot or parcel which access is limited and controlled by fencing, gates or other means where vehicles, equipment and other materials are stored for extended periods of time. Such areas are not required to meet Iowa Statewide Urban Design and Specifications (SUDAS) Chapter 12, Parking Lots, Sections 1-6.

108. YARD: An open space on the same lot with a building, unoccupied and unobstructed by any portion of the structure from the ground upward, except as otherwise provided in this Ordinance. In measuring a yard for the purpose of determining the width, length, or depth, the least distance between the lot line and the nearest permitted building shall be used.

109. YARD, FRONT: A yard extending across the full width of the lot and measured between the platted street right-of-way line or roadway easement line and the principal building.

110. YARD, REAR: A yard extending across the full width of the lot and measured between the rear lot line and the building or any projections other than steps, unenclosed balconies, or unenclosed porches. On interior lots, the rear yard is opposite the front yard. On corner lots, the rear yard is designated at the time a building permit is issued and is one of the yards opposite one of the front yards (See definition of Lot Lines, Rear).

111. YARD, SIDE: A yard extending from the front yard to the rear yard and measured between the side lot lines and the nearest principal building.

112. ZONING ADMINISTRATOR: The individual assigned by the Board of Supervisors in accordance with Chapter 335, Iowa Code, with the sole responsibility to administer the Scott County Revised Zoning Ordinance in accordance with Chapter 6, County Code and Chapter 335, Iowa Code.

6-6. GENERAL REGULATIONS AND PROVISIONS

A. Agricultural Soils Protection: In compliance with the Scott County Comprehensive Plan, it is the intent of this Ordinance that the "R-1", "R-2", "C-1", "C-2", and "I" Zoning Districts not be established through rezoning of an "A-P" District, and that the rezoning of an "A-P" District to "A-G", "A-CSF", or "I-F" only be established through the provisions of this Ordinance and in compliance with a preponderance of the adopted land use policies contained in the Scott County Comprehensive Plan.

(1) The "A-P" District was originally developed using the Land Use Policies in the 1980 Scott County Development Plan. The A-P District is intended to protect highly productive soils and agricultural operations. Scott County uses the most current edition of the Soil Survey of the County as compiled from the National Resources Conservation Services (NRCS) of the U.S. Department of Agriculture. The County Board of Supervisors has established a Corn Suitability Rating (CSR) of sixty (60) or greater as a weighted average per quarter section of land and the soil types listed as Prime Farmland in the Soil Survey of Scott County for protection from urban development, unless it meets a preponderance of other adopted land use policies.

(2) An application for rezoning of an "A-P" District will result in an in-depth study of the soils characteristics and CSR for the land in the application by the Planning and Development staff and the Natural Resources Conservation Service. The Planning and Zoning Commission and the Board of Supervisors will use the soil analysis, land use

policies analysis, and public comments to make a decision on the rezoning request.

B. Splitting the Farmstead from Farm: When an application is submitted for approval of a Plat of Survey for a farmstead split, the farmstead shall be platted in accordance with all applicable provisions of the Iowa Code. The platted lot shall include the existing house or houses or an area that can be shown to be at one time the location of a farm house and be no larger than necessary to include the typical farm buildings as well as any yard, timber or pond area. Once the Plat of Survey is recorded neither the new lot

nor the remaining farmland may be subsequently platted into smaller lots in violation of the Zoning and/or Subdivision Ordinance. Further subdivision would require that the land first be rezoned to an appropriate zoning district for the proposed intended use.

C. Disincorporation and Severance: Any additions to the unincorporated areas of the County resulting from the disincorporation of a municipality or a severance of a part of a municipality shall be automatically classified as an "A-G" Agricultural-General District until otherwise classified by the rezoning process.

D. Road or Public Way Vacation: Whenever any road, street, or other public way is vacated by official action of the Board of Supervisors of Scott County, the Zoning District adjoining each side of such road or public way shall be automatically extended to the center of such vacation and all area included in the vacation shall then and henceforth be subject to all appropriate regulations of the extended districts.

E. Intensity of Use: Any lot of record at the time of effective date of this Ordinance having less area, less lot width, or less setback spacing than herein required, may be used only for the purpose allowed by the zoning district, even though it does not meet the requirements of District area requirements. Such lots of record are granted small lot status and may have a minimum front yard setback of twenty-five (25) feet, a side yard setback of five (5) feet, and a minimum rear yard setback of ten (10) feet for the principal structure and five (5) feet for accessory structures.

F. Street Frontage Required: Any lot or tract used for residential purposes shall have at least twenty (20) feet of frontage on a public road or private road designed for the proposed residential use.

G. Front Yard Building Line: No portion of the principal building may extend into the front yard setback, except projections such as eave overhangs, steps, exterior balconies, and awnings. Porches and decks that are open and unenclosed may encroach into the front yard setback no more than twenty percent (20%) of the total setback distance. When fifty (50%) percent or more of lots with frontage on the same side of the road is improved with buildings that have observed a greater or lesser depth of front yard building line than specified in the district area regulations, then the front yard setback line may be the average of the two building setback lines previously established on either side of the lot in question. This regulation shall not be interpreted to require a front yard of more than one hundred (100) feet in any "R-1" or "R-2" District, nor more than seventy-five (75) feet in any "C-1", "C-2", or "I" District. When the street is curved, the building setback line shall be parallel to the curve of the street and setback the required distance.

H. Zero Lot Line: In residential districts, single-family attached dwellings, two-family dwellings and townhouses may be sited on a lot line in such a manner that the lot line runs the entire length of the common wall separating the dwelling units. The front and rear yard setbacks shall be maintained, and the side yard for the end units shall conform to the district area regulations. In a "C-1" or "C-2" District, the building(s) may be sited on the side and/or rear yard lot line so long as the principal building is no closer than thirty-five (35) feet to a residential district or an adjoining residence lot line. Any new subdivision or resubdivision proposing the use of the zero lot line shall comply with the procedures of a site plan review by the Planning and Zoning Commission, as described in Section 6-29.

I. Height allowances for certain structures and appurtenances: Public buildings, hospitals, institutions, or schools, when permitted in a District, may be erected to a height not exceeding sixty (60) feet, and churches may be erected to a height not exceeding eighty (80) feet if the building is set back from each yard line at least one (1) foot for each foot of additional height above the height limit otherwise provided in the District in which the building is located.

The height of communication towers shall be reviewed and approved in conjunction with the Special Use Permit and approved using the criteria established in Section 6-30. The height of all structures and appurtenances for any development in the I or I-F zoning districts will be reviewed and approved at the time the zoning district is established in accordance with the applicable regulations.

J. Bulk and Solar Access: The area, setback, and height requirements of the district regulations are not to be construed to allow a building or structure on a lot or tract to block the access to the sky and sun on adjoining property. Each residential property shall have sufficient solar access to meet at least half of the energy requirements of the principal building, structure, or use.

K. Grading Plans Required: Prior to disturbing more than one acre of land for non-agricultural purposes, the owner/contractor shall submit grading plans and obtain approval of a Grading Permit. Such purposes include grading land to prepare land for future non-agricultural uses; clearing trees, bushes, and ground cover from conservation and rough lands; constructing roads for future areas of development; preparing a site for a pond (not for agricultural purposes); and any other non-agricultural development. The grading plan must be designed to keep annual soil loss to less than five (5) tons per acre and retain eighty percent (80%) of the sediment on-site. The plan must be submitted to and receive approval from the Department of Planning and Development with the technical advice of the Natural Resources Conservation Service. If no plan is received prior to disturbing the land, it will be treated as a zoning violation. The owner/contractor shall have seven (7) days to comply when notified of the violation. The applicant must also receive approval of the Iowa Department of Natural Resources Stormwater Discharge Permit prior to commencing any disturbance of greater than one acre. A copy of the State permit and plan must be filed with the Department of Planning and Development. Extraction operations are exempt from these regulations, but must comply with State Administrative rules.

L. Construction Permits to Comply with Zoning District Regulations: Prior to approval of any construction permit application in unincorporated Scott County, such application shall be reviewed for compliance with all applicable requirements of the Zoning Ordinance.

M. Buildings Moved onto Property: Prior to transporting a building having a size in excess of 120 square feet onto a lot or tract of land, the property owner or contractor must obtain a building permit. After the building arrives on the property, the building permit holder must place the building on a permanent approved foundation within sixty (60) days, in accordance with the Scott County Construction Codes.

N. One Principal Building to a Lot: Every building hereafter erected or structurally altered shall be located on a lot, as defined herein, and in no case shall there be more than one (1) single-family residence or duplex on a single lot or tract of land except under the following conditions:

- (1) An approved temporary mobile home on a farmstead or residential lot may be located on the same lot as the primary residence.
- (2) A subordinate residence approved with a Special Use Permit or a second residence with an approved farmstead split created with a Plat of Survey.
- (3) More than one (1) industrial, commercial, multi-family dwelling or institutional principal building may be erected on a single lot or tract, but all such buildings must be located in compliance with the setback requirements of the applicable district regulations.

O. Mobile Homes and Travel Trailers: Mobile Homes are only allowed in approved Mobile Home Parks, established through the provisions in Section 6-25; or under the provisions for legal temporary location outside of an approved Park, as provided for in Section 6-25.H.(15). Travel Trailers are only allowed in approved Travel Trailer Parks, established through the provisions in Section 6-26; as well as on a limited basis in approved Mobile Home Parks, as established through the provisions in Section 6-25. Under no other circumstances is a travel trailer to be used for occupancy or residence purposes when located outside of an approved Mobile Home or Travel Trailer Park unless a temporary mobile home permit has been approved for that particular location.

P. Basement or Cellar: A basement or cellar shall not be used for business or dwelling purposes unless it complies with the egress, ventilation, lighting and other applicable requirements of the Scott County Construction Codes.

Q. Subdivision Required: Any unplatted tract of land recorded as of January 1, 1978 that is repeatedly or simultaneously subdivided into three (3) or more parts shall have the plat of such subdivision approved by the Board of Supervisors as provided in the Scott County Subdivision Ordinance.

R. Water Supply and Sewage Disposal: Every residence, business, trade, or industry hereafter established, shall provide water supply and sewage disposal facilities which conform with the administrative rules of the Iowa Department of Health, the Well and Sewage Regulations of the Scott County Board of Health, and the Subdivision Ordinance.

S. Visual Clearance: In all Districts, no fence, hedge, vegetation, wall, sign, earth, or other obstruction shall be permitted which obstructs the clear view of approaching vehicles between three-and-one-half (3½') feet and fifteen (15') feet above the traveled portion of a public or private roadway or street. In subdivisions, the visual clearance shall be determined by the area within a triangle formed by the center of the intersection or the axis point of a road bend in excess of seventy (70) degrees and points one hundred (100) feet from the center of the intersection where measured along the centerlines of the road. The triangle for County roads, intersections, or road bends (arterials, collectors, local), which have adjacent residences, shall be from the center of the intersection or axis point one hundred fifty (150) feet along the centerlines of the intersecting roads, except those areas which have been obtained by the Secondary Roads Department for a clear vision area.

T. Fences and Walls: Fences and walls will only be allowed which do not obstruct traffic visibility. Any non-farm fence or wall exceeding six feet in height shall obtain a building permit. Fences are prohibited in a road right-of-way. No fence may be constructed which obstructs the visibility of adjacent driveways, streets or road intersections. Any proposed fence which exceeds the height limits identified below shall be reviewed in

accordance with the provisions and criteria for a Special Use permit established in Section 6-30

(1) In an "A-P", "A-G", "R-1", CAD-R, or "R-2" District, fences and walls are permitted within the limits of the side and rear yards to a maximum of six (6) feet in height. In a front yard a fence not exceeding three-and-one-half (3½) feet in height is permitted, unless it obstructs the visibility clearances of any adjacent driveway or street.

(2) In a "A-CSF", "CAD-PVC", "C-1", "C-2", "I", or "I-F" District, fences and walls are permitted within the limits of the side and rear yards to a maximum height of ten (10) feet. In a front yard a fence not exceeding three-and-one-half (3½) feet in height is permitted, unless it obstructs the visibility clearances of any adjacent driveway or street. In new developments, solid material fences will be constructed to surround outside storage of parts, supplies, refuse, and the like. No fences may be constructed which obstruct the visibility of road intersections

(3) In all cases, fences shall be constructed with the best side facing the neighboring land user. Best side is generally intended to mean paneling or other coverage of the fence framing members. Such coverage which occurs at a minimum on one-half of the side facing the neighboring property owner shall be considered in compliance with this "best side" requirement.

(4) Any exterior swimming pool with a design capacity of more than 5,000 gallons and a depth of greater than eighteen (18) inches shall obtain a building permit and have a continuous barrier, wall or fence of at least four (4) feet in height. All gates shall have an interior self-closing latch.

U. Accessory Buildings: Unless specified elsewhere in the Ordinance, these regulations shall apply to all accessory buildings in all zoning districts. Any accessory building shall meet the standards for permitted accessory uses for zoning district in which it lies, in addition to complying with the provisions of this Section.

(1) Any accessory building shall be located in a side or rear yard, and meet the setback requirements listed in the applicable district regulations. An accessory building(s) may be located in a front yard in cases where the accessory building meets or exceeds the minimum required front yard setback for principal buildings on the property. The provision allowing accessory buildings in front yards shall also apply to corner and double frontage lots with multiple front yards.

(a) Corner Lots: The above provision applies to corner lots – an accessory building may be allowed in any defined front yard of a corner lot so long as it meets or exceeds the required front yard setback for the principal building on the lot.

(b) Double Frontage Lots: As defined, a double frontage lot may have an accessory building(s) in the front yard as long as it meets or exceeds the required front yard setback for the principal building on the lot.

(2) Setback Requirements: The minimum required side and rear yard setback distance for accessory buildings shall be equal to the minimum required side yard setback for the principal building, structure, or use. For any lot of record or lot having less area, lot width or other required area dimensions, or less setback spacing than herein required at the time of effective date of this Ordinance, the minimum required rear and side yard setback distance for accessory buildings shall be no less than (5) feet.

(3) Area Coverage Restrictions: In complying with the accessory building regulations of this Section and Ordinance, no accessory building(s) or structure(s) shall occupy more than twenty percent (20%) of a property's total rear yard area.

(4) Additional Accessory Building Regulations:

(a) Mobile homes may not be classified or used as accessory buildings.

(b) No accessory building may contain or be used as a dwelling unit unless a second residence is approved with a Special Use Permit or a second residence is created with farmstead split by an approved Plat of Survey.

(c) Satellite antennas exceeding three (3) feet in diameter require a building permit. In residentially zoned areas (R-1, R-2, and CAD-R), satellite antennas of any size may not be located in a front yard, may not exceed the height of the peak of the house unless the building inspector determines there is no alternative, and limited to one (1) per lot or tract. Existing satellite antennas, as of the adoption date of this amendment, are exempted from this restriction.

(d) An accessory building may be built on the adjoining subdivision lot or tract, if both parcels are owned by the same individual, family, or firm, and the owner signs and records a "Restrictive Covenant and Agreement Not to Sever" in cooperation with the Department of Planning and Development.

(e) Any exterior swimming pool with a design capacity of greater than 5,000 gallons and a depth of greater than eighteen (18) inches shall be considered an accessory building and meet setback requirements.

V. Home Occupations and Home Industries: In A-P, A-G, R-1, R-2 and CAD-R home based businesses are permitted as an accessory use. Home Occupations and Home Industries as defined in Section 6-5 are allowed if in compliance with the following procedures and restrictions and other provisions of the regulations of the District in which such home based businesses are located. Proposed Home Occupations and Home Industries that exceed these conditions and restrictions shall be reviewed and may be approved in accordance with the provisions and criteria for a Special Use permit established in Section 6-30.

(1) The home business person shall apply in writing to the Zoning Administrator for approval of his/her home occupation or industry. The applicant shall provide information showing how the proposed business will comply with all of the restrictions stated within this subsection. If the application complies with the restrictions of this subsection, the Zoning Administrator will confirm the approval in writing to the applicant. For a home industry, the Zoning Administrator will also notify in writing landowners within 500 feet of the business facility of the approved home industry.

(2) The intent of these regulations is to allow businesses if they do not conflict or distract from adjacent landowners' use of their land or cause unnecessary damage to public roads. Therefore, the home occupation or home industry must be conducted entirely within the home if it is a home occupation or the home and/or accessory building if it is a home industry, so there is no evidence, apart from permitted signage, of such business being conducted on the premises due to visible storage of materials, excessive noise, obnoxious odors, electrical disturbances, or considerable increase in vehicular traffic. Home industries are allowed in "A-P" and "A-G" and may include assembly, processing, fabrication, sale and repair of cars, light trucks, agriculture equipment and household appliances, warehousing and distribution, lawn service, contractors' equipment storage,

and sales of products prepared on site. All hazardous wastes, by-products, and emissions must be stored and/or disposed of in conformance with Federal, State, and local regulations. The home industry facility must be located more than 500 feet from the nearest neighbor's residence, business or farming operation. Junk material and unassembled parts and equipment may be stored in the rear yard of a home industry if it is entirely enclosed with solid fence material, no larger than 1000 square feet in area, and not visible from adjoining properties or roads.

(3) The business shall provide no more than four (4) designated, yet inconspicuous parking spaces on the premises outside the road right-of-way. An application may be denied if the type of vehicular traffic using the County or private roads leading to the site will cause increased dust problems or damage to the road(s), as determined by the County Engineer and the Zoning Administrator.

(4) One advertising sign is permitted on the premises with the following requirements. The sign shall be:

- (a) Not larger than six (6) square feet in area for each sign face; and
- (b) Placed flat against any one side of the building; or
- (c) Posted within ten (10) feet of the building; or
- (d) Posted no closer than fifty (50) feet from the road right-of-way if the building is located behind the fifty (50) foot building setback line; and
- (e) Not illuminated.

(5) For home occupations, no more than one (1) non-resident employee is allowed. For home industries, the limit shall be four (4) non-resident employees, whether full or part-time. In addition, only four (4) employee vehicles are allowed on the site at one time and all on-site work must occur inside the home or accessory building(s).

(6) No more than twenty-five percent (25%) of the floor area of the residence may be devoted to the business in the home. For a home industry, no more than 2,400 square feet of accessory building may be devoted to the business.

6-7 NON-CONFORMING USES

General Intent: Within the districts established by this Ordinance or amendments that may later be adopted, there may exist lots, structures and uses of land and structures which were lawful before this Ordinance was passed or amended but which would be prohibited, regulated or restricted under the terms of this Ordinance or future amendments. It is the intent of this Ordinance to allow nonconforming uses to continue until their normal expiration, but subject to the nonconforming performance standards, also to encourage their removal.

A. A nonconforming use of land, a nonconforming use of a structure, or a nonconforming use of land and a structure in combination shall not be extended or enlarged after the date of the passage of this Ordinance, except for single family dwellings. A non-conforming use may continue so long as it remains otherwise lawful, subject to the following provisions:

(1) No such nonconforming use, except single family dwellings, shall be enlarged nor increased nor extended to occupy a greater area of land than was occupied at the effective date of adoption or amendment of this Ordinance.

(2) No such nonconforming use, except single family dwellings, shall be moved in whole or in part to any other portion of the lot or parcel occupied by such use.

(3) If any such nonconforming use of land ceases for any reason for a period of more than one (1) year, any subsequent use of such land shall conform to the regulations specified by this Ordinance for the district in which such land is located.

(4) No existing nonconforming use of a structure devoted to a use not permitted by this Ordinance in the District in which it is located, except a single-family residence, may be enlarged, extended, re-constructed, structurally altered, or re-established except in changing the use of the structure to a use permitted in the District in which it is located.

(a) The exception for single-family dwellings includes such dwellings located on farmstead parcels in agricultural zoning districts.

(b) The exception for single-family dwellings allows for the enlargement, extension, re-construction, alteration, and re-establishment of the use, but does not exempt any such structures from Section 6-7.B (following) regarding any nonconformity in physical location of such structures on a lot.

B. A nonconforming structure, by reason of restrictions on setbacks, area, lot coverage, height, yards or other characteristics of the structure or its location on the lot, shall not be extended or enlarged, except as herein provided, after the date of the passage of this Ordinance. Such structure may be continued for as long as it remains otherwise lawful, subject to the following provisions:

(1) No such structure may be enlarged, altered, or moved in a way that increases its nonconformity.

(2) Should such structure be destroyed by any means to an extent of more than fifty percent (50%) of its assessed value at the time of destruction, it shall not be reconstructed except in conformity with the provisions of this Ordinance.

(3) Nothing in this Ordinance shall prohibit the maintenance and repair of nonconforming structures to keep such a structure in sound and safe condition, provided that no structural enlargement, extension, alteration or change shall be made to increase the degree of nonconformity, and so long as the cost of the cumulative improvements of any such maintenance and repairs do not exceed fifty percent (50%) of the structure's assessed value.

C. Nonconforming Lots of Record

(1) In any district in which single-family dwellings are permitted, notwithstanding limitations imposed by other provisions of this Ordinance, a single-family dwelling and customary accessory buildings may be erected on any single lot of record at the effective date of adoption or amendment of this Ordinance. Such lot must be in separate ownership and not of continuous frontage with other lots in the same ownership.

(2) If two or more lots or combinations of lots and portions of lots with continuous frontage in single ownership are of record at the time of passage or amendment of this Ordinance, and if all or part of the lots do not meet the requirements for lot width and area as established by this Ordinance, the land involved shall be considered to be an undivided parcel for the purposes of this Ordinance, and no portion of said parcel shall be used or sold which does not meet lot width and area requirements established by this Ordinance,

nor shall any division of the parcel be made which leaves remaining any lot width or area below the requirements stated in this Ordinance.

6-8. ESTABLISHMENT OF DISTRICTS AND DISTRICT BOUNDARIES

A. Establishment of Districts: In order to carry out the purpose and intent of this Ordinance and the Comprehensive Plan, the unincorporated area of Scott County, Iowa is hereby divided into Zoning District classifications, which supersede all earlier versions of the Official Zoning Map and established districts:

"A-P" Agricultural-Preservation District

"A-G" Agricultural-General District

"ACS-F" Agriculture Commercial Service Floating District

"R-1" Single-Family Residential District

"R-2" Multi-Family Residential District

"CAD-R" Community Area Development Residential District

"CAD-PVC" Community Area Development Park View Commercial District

"C-1" Neighborhood Commercial District

"C-2" Commercial and Light Industrial District

"I" Industrial District

"I-F" Industrial Floating District

"SW-F" Solid Waste Disposal Site Floating District

"FW" Floodway Overlay District

"FF" Floodway Fringe Overlay District

"GF" General Floodplain Overlay District

B. District Boundaries and Official Zoning Map: With the exception of the Flood Plain Overlay Districts, the boundaries of these Districts are indicated upon the Official Zoning Map of Scott County, Iowa; which map is made a part of this Ordinance by reference. The Official Zoning Map of Scott County, Iowa, and all the notations, references and other matters shown thereon shall be as much a part of this Ordinance as if the notations, references, and other matters set forth by said map were all fully described herein. The Official Zoning Map is known as the Digital Official Zoning Map, and shall be kept in the Scott County Information Technology database. The Map and amendments to it are kept current and on file in the office of the Scott County Zoning Administrator.

If in accordance with the provisions of this Ordinance, changes are made in the district boundaries or other matters portrayed on the Official Zoning Map, the ordinance number and date shall be recorded by the Zoning Administrator.

C. Interpretation of District Boundaries: In cases where the exact location of a district boundary (other than a Flood Plain Overlay District) is unclear as shown on the Official Zoning Map in the office of the Zoning Administrator, the boundaries indicated as approximately following streets and highways shall be construed to follow such center line; that boundaries indicated as approximately following platted lot lines or city limit boundaries; that boundaries indicated as following the center lines of rivers, streams, and creeks shall be construed to follow such center lines; that boundaries indicated as following railroad lines shall be construed to be midway between the main tracks, and that boundaries indicated as following section lines, quarter-section lines, or quarter-quarter section lines shall be construed as following such lines. Distances not specifically indicated on the Official Zoning Map shall be determined by scaling the distance on the Map.

D. Flood Plain Overlay Map: The boundaries of the flood plain overlay districts shall be the same as shown on the Flood Insurance Rate Maps, which were issued by the

Federal Emergency Management Agency. The Flood Insurance Rate Maps (FIRM) for Scott County and Incorporated Areas, dated February 18, 2011, which were prepared as part of the Scott County Flood Insurance Study, are hereby adopted by reference and declared to be the Official Flood Plain Zoning Map for unincorporated Scott County. The flood profiles and all explanatory material contained with the Flood Insurance Study are declared to be part of this ordinance. These maps are hereby adopted by reference as the Official Flood Identification Maps, together with the accompanying Flood Insurance Study and all explanatory material therein. These maps shall have the same force and effect as if they were all fully set forth or described herein. Subsequent amendments to these maps and Flood Insurance Study shall be adopted through the procedures established herein.

The flood plain overlay districts shall include the corresponding designated areas identified on the Flood Boundary and Floodway Map as indicated below:

"FW" The designated Floodway on Flood Boundary and Floodway Map.

"FF" The designated Floodway Fringe on Flood Boundary and Floodway Map.

"GF" The areas shown on Flood Boundary and Floodway Map as being within the approximate 100-year flood boundary, but for which the floodway and floodway fringe and base flood elevation were not determined by the Flood Insurance Study. The maps are available for review in the office of the Scott County Department of Planning and Development.

E. Interpretation of Flood Plain Map Boundaries: The boundaries of the Floodway (FW), Floodway Fringe (FF), and General Flood Plain (GF) Overlay Districts shall be determined by scaling distances on the Official Flood Identification Maps.

Where interpretation is needed to determine the exact location of the boundaries of the districts as shown on the maps, as for example where there appears to be a conflict between a mapped boundary and actual field conditions, the Zoning Administrator shall make the necessary interpretation. The regulatory flood elevation for the point in question, as reported in the Flood Insurance Study, shall be the governing factor in locating the district boundary on the land. Any person contesting the location of the district boundary shall be given a reasonable opportunity to present his case to the Board of Adjustment, as provided in Section 6-30, and to submit his own technical evidence if he/she so desires. Any person contesting the regulatory flood elevation data in the Flood Insurance Study shall submit technical evidence to the Iowa Department of Natural Resources for review. The findings of the Iowa Department of Natural Resources shall be the final determination as to the regulatory flood protection elevation for that location.

ZONING DISTRICT REGULATIONS

6-9. "A-P" AGRICULTURAL-PRESERVATION DISTRICT

A. General Intent: The "A-P" Agricultural-Preservation District is intended and designed to protect agricultural operations and preserve agricultural land from encroachment of urban development. This District is not intended for residential uses or rural subdivisions, except as provided through a valid farmstead split; nor for commercial or industrial uses, except as provided through the provision for overlay districts.

B. Principal Permitted Uses:

(1) Farms, farming, and farmhouses as defined in Section 6-5 Definitions. Generally farms, farm buildings, and farm houses, which are primarily adapted for agricultural

purposes, are exempt from county zoning regulations (See Section 6-4 Farm Exemptions).

(2) Horticultural operations, including sod farms, tree nurseries, and wholesale plant nurseries.

(3) Public and private parks, forests, wildlife preserves, and conservation areas.

(4) Private horse stables providing that any such structure built to accommodate horses must be located in a side or rear yard if there is also a principal residence on the property.

(5) Franchised electric transmission and gas/commodity pipe lines and associated structures and equipment, including substations. All structures of the utilities which exceed 35 feet shall be located where disruption of agricultural, residential or commercial activity is minimized. The base of towers shall be located at least the distance of the height of the tower from any existing, and adjacent neighboring structure(s).

(6) Single-family homes on platted lots in existing subdivisions and auditor's plats, or on parcels of less than fifteen (15) acres in size, any of which have been recorded in the Scott County Recorder's Office, as of April 2, 1981, or a valid farmstead split from the surrounding farmland under the provisions of Section 6-6.B. Splitting the Farmstead from Farm.

C. Accessory Permitted Uses:

(1) Accessory uses customarily incidental to any principal use within this District. Only one commercial vehicle may be parked and/or stored on the property unless it is used in conjunction with an approved home business. Accessory uses not permitted include, but are not limited to, the following uses: the visible accumulation of domestic junk such as vehicular parts, tires, trailers, or salvaged building materials, broken or junk appliances, and other sorts of junk, salvage or debris covering more than 200 square feet of area (cumulative for individual properties). In staying within the allowable 200 square feet, no individual junk, salvage, or debris pile shall exceed six (6) feet in height. Two (2) or more junk vehicles on subdivision lots or three (3) or more junk vehicles on farmstead parcels shall also be a prohibited accessory use (See Section 6-5.61. Junk Vehicle). Any accessory commercial use which is not approved as a home business as outlined in Section 6-6.V. is not permitted.

(2) Home occupations and home industries in compliance with the requirement of Section 6-6.V.

(3) Roadside stands offering for sale primarily products grown on the premises. Such stands shall be removed during any season or period when they are not being used.

(4) Private kennel.

(5) Small wind generators with rated capacity of not more than 100 kilowatts and associated structures and equipment with the following restrictions:

(a). The base of the structure shall be set back from all property lines and road easements a minimum distance equal to the height of the tower including rotor and/or blades;

(b) The maximum height of the wind turbine generator shall be 80 feet;

(c) The ground clearance for the rotors or blades shall be no less than fifteen (15) feet or one-third (1/3) the height of the tower whichever is greater;

(d) The maximum noise level produced by the wind generator shall be no more than 50 decibels as measured at the property line.

(e) The wind turbine shall not cause vibration perceptible beyond the property on which it is located nor interfere with television, microwave, navigational or radio transmission;

(f) The wind turbine shall be constructed in accordance with plans prepared and stamped by registered professional engineer.

D. Special Permitted Uses: The following special uses may be permitted upon review by the Board of Adjustment in accordance with the provisions contained in Section 6-30.

(1) Communication towers and antennas, with the Board of Adjustment considering the following:

(a) Any equipment cabinet or building shall be adequately screened from nearby residential uses;

(b) Co-location shall be preferred over new tower construction;

(c) The tower shall be removed when the use of the tower has ceased for one (1) year or greater.

(d) When the party establishing the use does not own the property on which it is to be constructed or installed, the applicant shall provide a signed lease agreement, which shall include provisions for decommissioning and removal of the tower and equipment at the end of the lease term or when the tower is no longer in use;

(e) The applicant shall provide documentation of compliance with any applicable regulations of the National Environmental Policy Act (NEPA), National Historic Preservation Act (NHPA), and/or the Federal Aviation Administration (FAA).

(2) Sites for music events, sports events, commercial exhibitions and carnivals lasting no more than three continuous days per event and no more than six events per year.

(3) County or municipal facilities.

(4) Temporary asphalt and concrete mixing plants, where applicant can show that the plant will be temporary, will be completely removed when operations cease, will serve a clear public need, and will not disturb the adjoining property owners.

(5) Extraction, primary material processing and removal of coal, stone, gravel, sand, clay, topsoil, or ores on more than two (2) acres of land. Such mining or extraction shall be in compliance with Chapter 208, 2015 Code of Iowa, if applicable. The Board of Adjustment will look to determine how the operation will minimize fugitive dust, protect hazardous areas from neighborhood children, protect farm ground with a CSR above 68 for future agricultural production, and locate only where County roads are adequate to handle the increased truck traffic. The applicant will submit a soil erosion control plan. Additional restrictions may apply if a permanent body of water is created. If the extraction of materials other than topsoil does not create a permanent water body, topsoil shall be stockpiled and returned to reclaim the land for future crop production once the operation ceases for more than one (1) year. Primary material processing shall not take place closer than 1,000 feet from an existing residential district or neighboring residence. Secondary material processing where raw material is sorted, graded, or mixed to make a commercial product is only allowed in an "I" Industrial District.

(6) Public stables where the building and exercise yard is at least five hundred (500) feet from the closest neighboring residence or residential zoning district.

(7) Bed and breakfast homes.

(8) Education facilities (public and private schools) on less than five (5) acres of land.

(9) Solid waste transfer station provided the operation occurs on less than five (5) acres, is screened from the public, and is operated in conjunction with the Scott Area Solid Waste Management Commission.

(10) Private, non-commercial airstrips and helicopter landing zones, provided there are no obstructions to flight, the airstrip is no longer than 2,000 feet, and the use is compatible to neighboring land uses.

(11) One attached or detached dwelling unit subordinate to the existing dwelling unit, provided that the new dwelling unit meets all building and fire codes and zoning area and setback requirements, that there is unobstructed access to the new dwelling unit for emergency vehicles, and that the County Health Department approves the sewage and water systems.

(12) Commercial kennels and veterinary businesses but not nearer than five hundred (500) feet from any zoned residential district, incorporated boundary line or dwelling other than the lessee or owner of the site.

(13) Home occupations and home industries that exceed the requirement of Section 6-6.V. and reviewed under the procedures and criteria of Section 6-30.C. (2)

(14) Large wind generators with rated capacity of more than 100 kilowatts and associated structures and equipment with the following restrictions:

(a) The base of the structure shall be set back from all property lines and road easements a minimum distance equal to the height of the tower including rotor and/or blades.

(b) The maximum height of the wind turbine generator shall be 199 feet;

(c) The ground clearance for the rotors or blades shall be no less than 25 feet or 1/3 the height of the tower whichever is greater

(d) The maximum noise level produced by the wind generator shall be no more than 50 decibels as measured at the property line.

(e) The wind turbine shall not cause vibration perceptible beyond the property on which it is located nor interfere with television, microwave, navigational or radio transmission;

(f) Shall be constructed in accordance with plans prepared and stamped by a registered professional engineer.

E. Minimum Lot Area, Lot Width, Setback, & Maximum Height Requirements Principal Building

Lot Area	Lot Width	Front Yard	Side yard	Rear Yard	Max Stories	Max Height
30,000 sq ft	100 ft	50 ft	10 ft	40 ft	2½	35 ft

Accessory Buildings

Lot Area	Lot Width	Front Yard	Side yard	Rear Yard	Max Stories	Max Height
N/A	N/A	50 ft	10 ft	10 ft	2	35 ft

6-10. "A-G" AGRICULTURAL-GENERAL DISTRICT

A. General Intent: The "A-G" Agricultural-General District is intended to act as a holding zone to protect agricultural operations and preserve agricultural land until a compatible development proposal is approved through special use permits or rezoning. This District is not intended for residential uses or rural subdivisions, except as provided through a valid farmstead split. This District does allow for a limited number of public and private uses, such as churches and schools, as permitted uses. It also allows some commercial or industrial uses as provided through the provision for overlay districts.

B. Principal Permitted Uses:

- (1) Any use permitted in the "A-P" Agricultural-Preservation District.
- (2) Religious, charitable, philanthropic facilities including churches or other places of worship, parish houses, Sunday school buildings and bulletin boards.
- (3) Cemeteries.
- (4) Parks, playgrounds, golf courses, both public and private, recreational facilities for private, non-profit service organizations including, but not limited to, Boy and Girl Scout Camps and church camps.
- (5) Schools, both public and private educational institutions; preschool and day care facilities operating no more than 6 A.M. to 8 P.M. daily; providing that a single-family dwelling also may be co-located for use by the landowner or custodian.
- (6) Governmental buildings and facilities.

C. Accessory Permitted Uses:

- (1) Accessory uses customarily incidental to any principal use within this District, and also including any accessory uses permitted in an "A-P" District using the same restrictions.

D. Special Permitted Uses: The following special uses may be permitted in the "A-G" District upon review by the Board of Adjustment in accordance with the provisions contained in Section 6-30.

- (1) Any special use permitted in an "A-P" District.
- (2) Travel Trailer Parks established in accordance with Section 6-26.

E. Minimum Lot Area, Lot Width, Setback, & Maximum Height Requirements

Principal Building

Lot Area	Lot Width	Front Yard	Side yard	Rear Yard	Max Stories	Max Height
30,000 sq ft	100 ft	50 ft	10 ft	40 ft	2½	35 ft

Accessory Buildings

Lot Area	Lot Width	Front Yard	Side yard	Rear Yard	Max Stories	Max Height
N/A	N/A	50 ft	10 ft	10 ft	2	35 ft

6-11. "ACS-F" AGRICULTURAL COMMERCIAL SERVICE FLOATING DISTRICT

A. General Intent: The "ACS-F" Agriculture Commercial Service Floating District is intended and designed to serve the agriculture community by allowing agriculture commercial service development to locate in certain unincorporated areas. The site plan approval will occur in conjunction with the rezoning review and approval. The standards, criteria and conditions of approval will be applied, as deemed appropriate and applicable, during the rezoning review and approval process.

Any existing land zoned "A-F" Agriculture Service Floating Zone at the time and date of adoption of this Ordinance shall be classified as "ACS-F" Agriculture Commercial Service Floating District on the Official Zoning Map and may continue as the established use. Any re-occupancy, change in use or new development of such property would be subject to the review in accordance with the requirements of the "ACS-F" Agriculture Commercial Service Floating District.

B. Principal Permitted Uses:

- (1) Agriculture feed mixing and blending, seed sales, and grain handling operations.
- (2) Retail outlet for fertilizer and pesticides including mixing, blending and storage.
- (3) Storage and distribution of anhydrous ammonia.
- (4) Large animal veterinary businesses.
- (5) Livestock transfer station.

- (6) Livestock sale and auction barn.
- (7) Ag commodities and logistics businesses involving the local transportation of grain, feed, fertilizer, livestock, and other agricultural commodities.
- (8) Other agricultural commercial service uses which are determined by the Planning and Zoning Commission to be of a similar and compatible nature to the above uses.

C. Accessory Permitted Uses:

- (1) Accessory uses which are incidental, and determined by the Planning and Zoning Commission to be of a similar and compatible nature to the approved permitted use.

D. Special Permitted Uses: None.

E. Criteria for Land to be Rezoned "ACS-F":

- (1) The proposed facility shall be defined as including the buildings, improvements, maneuvering and parking area, and storage area which are graveled or paved. The facility must be located on a tract of ground where the main entrance to the facility is on or within 660 feet of a paved public road.
- (2) The entrance to the facility must have at least 1,000 feet line of sight in both directions on the public road. The County Engineer will approve the location of the main entrance in accordance with the Iowa Department of Transportation standards and specifics and Appendix I of the Scott County Subdivision Ordinance.
- (3) The separation spacing between the facility and any property line shall be at least 50 feet. The separation spacing to the closest neighbor's home and accessory buildings shall be at least 400 feet at time of application. The separation spacing to a residential zoning district shall be at least 400 feet.
- (4) The facility must not be located in a designated 100-year floodplain or within 200 feet of any river, stream, creek, pond, or lake or 400 feet of another environmentally sensitive area, park, or preserve.
- (5) The minimum lot size shall be one (1) acre.
- (6) Facility shall be surrounded by an adequate security system to deny public access to potentially hazardous areas.
- (7) Advertising signs shall not be larger than 100 square feet.
- (8) Underground storage shall not be allowed on site.

F. Procedure for Rezoning Parcel of Land to "ACS-F".

- (1) Developer/landowner shall apply to the Planning and Zoning Commission for approval of a specific development plan involving one of the principal permitted uses listed in paragraph "B" above. The Planning and Zoning Commission will hold a rezoning public hearing before making a recommendation to the Board of Supervisors.
- (2) Developer shall apply for and secure all required State and federal permits for the proposed development and provide copies of the application to the staff for review.
- (3) The Board of Supervisors will receive the Commission's recommendation plus information received during the Commission public hearing process and will hold a rezoning public hearing in accordance with Section 6-31.B.(3) Zoning Amendment Procedures. Based on the Commission recommendation, County staff comments, a review of the required State permit applications, and comments from the applicant and the public, the Board may approve or deny the application. If approved, the conditions of site plan approval will be included with the ordinance changing the zoning.

If the applicant's application is adopted by the Board of Supervisors, the Zoning Administrator shall update the zoning map to show the specific location of the "ACS-F" district (including the separation spacing).

G. Minimum Lot Area, Lot Width, Setback, & Maximum Height Requirements

Principal Building

Lot Area	Lot Width	Front Yard	Side yard	Rear Yard	Max Stories	Max Height
1 acre	200 ft	50 ft	50 ft	50 ft	2	35 ft

Accessory Buildings

Lot Area	Lot Width	Front Yard	Side yard	Rear Yard	Max Stories	Max Height
N/A	N/A	50 ft	50 ft	50 ft	2	35 ft

6-12. "R-1" SINGLE-FAMILY RESIDENTIAL DISTRICT

A. General Intent: The "R-1" Single-Family District is intended and designed to provide for the development of both low and medium density single-family subdivisions in the rural areas. All such subdivisions shall comply with the Scott County Subdivision Ordinance. This District is not intended for commercial uses. Any land rezoned to "R-1" shall be located on adequately constructed and paved County/State roads.

B. Principal Permitted Uses:

- (1) Detached single-family dwellings. For lots of record the dwelling unit is subject to the setback regulations for lots of record in Section 6-6.E.
- (2) Farms, farming and farmhouses (See Section 6-5 Definitions). Generally farms, farm buildings and farmhouses, which are primarily adapted for agricultural purposes, are exempt from County zoning regulations. (See Section 6-4 Agricultural Exemptions).
- (2) Developmentally disabled group homes in compliance with Chapter 335.25 Code of Iowa (2015).
- (4) Public and private parks and public and private conservation areas, but not to include commercial recreational uses.

C. Accessory Permitted Uses:

- (1) Accessory uses customarily incidental to any of the permitted uses in this District. Only one commercial vehicle may be parked and/or stored on the property unless it is used in conjunction with an approved home business. Accessory uses not permitted include, but are not limited to, the following uses: the visible accumulation of domestic junk such as vehicular parts, tires, trailers, salvaged building materials, broken or junk appliances, and other sorts of junk, salvage or debris covering more than 100 square feet of area (cumulative for individual properties). In staying within the allowable 100 square feet, no individual junk, salvage or debris pile shall exceed six (6) feet in height. Two (2) or more junk vehicles on subdivision lots shall also be considered a prohibited accessory use (See Section 6-5.61. Junk Vehicle). Any accessory commercial use which is not approved as a home business as outlined in Section 6-6.V. is not permitted.
- (2) Stables (private) providing they have stalls and feed for every horse and are located at least fifty (50) feet from a property line. The stable and exercise area must be located on a lot of at least one (1) acre, be located in the rear yard, and be screened from adjoining residential lots.
- (3) Farm animals and poultry on residential lots, but only if adequately fenced or controlled, not to exceed one (1) feeder cattle per acre, one (1) mature dairy cow per 1.4 acres, two and a half (2-1/2) swine (over 55 lbs.) per acre, ten (10) sheep or lambs per acre, and fifty-five (55) turkeys and chickens per acre, or any combination that does

not exceed the above animal unit multiplier. Such accessory uses must be operated to meet County Health standards. More restrictive deed restrictions supersede the above standard.

(4) Accessory utility services and equipment for use by adjacent properties.

(5) Home occupations in compliance with the requirements of Section 6-6.V.

(6) Private kennels.

D. Special Permitted Uses: The following special uses may be permitted in the "R-1" District upon review by the Board of Adjustment in accordance with the provisions contained in Section 6-30.

(1) Two-family dwelling units with a minimum lot size of thirty thousand (30,000) square feet.

(2) Townhouse dwelling units with a minimum lot size of fifteen thousand (15,000) square feet per unit.

(3) Schools, public and private educational institutions, plus a single-family dwelling, being subordinate to, and inhabited by an official from the educational use.

(4) Churches or other places of worship, including parish house, Sunday school building, and bulletin boards.

(5) Roadside stands for seasonal sale of fruits and vegetables grown on the premises. Such stands shall be removed or secured during any season or period when they are not in use.

(6) Franchised utility substations, including any mechanical buildings.

(7) Preschools and day care facilities in the home, operating only between the hours from 6 A.M. to 8 P.M. daily.

(8) Bed and breakfast homes.

(9) Home occupations that exceed the requirements of Section 6-6.V. and reviewed under the criteria of Section 6-30.C.(2).

(10) Small wind generators with the rated capacity of not more than 100 kilowatts and associated structures and equipment with the following restrictions:

(a) The base of the structure shall be set back from all property lines and road easements a minimum distance equal to the height of the tower including rotor and/or blades.

(b) The maximum height of the wind turbine generator shall be 80 feet;

(c) The ground clearance for the rotors or blades shall be no less than fifteen (15) feet or one-third (1/3) the height of the tower whichever is greater

(d) The maximum noise level produced by the wind generator shall be no more than 50 decibels as measured at the property line.

(e) The wind turbine shall not cause vibration perceptible beyond the property on which it is located nor interfere with television, microwave, navigational or radio transmission;

(f) Shall be constructed in accordance with plans prepared and stamped by a registered professional engineer.

E. Minimum Lot Area, Lot Width, Setback, & Maximum Height Requirements

Principal Building

Lot Area Lot Width Front Yard Side yard Rear Yard Max Stories Max Height

30,000 sq ft 100 ft 50 ft 10 ft 40 ft 2½ 35 ft

Accessory Buildings

Lot Area Lot Width Front Yard Side yard Rear Yard Max Stories Max Height

N/A N/A 50 ft 10 ft 10 ft 2 35 ft

6-13. "R-2" MULTI-FAMILY RESIDENTIAL DISTRICT

A. General Intent: The "R-2" Multi-Family Residential District is intended and designed to provide areas for mixed residential development, including single-family, two-family, and multiple-family dwellings. Any proposed two-family and multiple-family developments will require site plan review in conjunction with the subdivision review. It is intended that this District will be permitted only where common water supply and sewage collection and disposal systems are available. Multiple family dwellings will only be permitted on adequately paved roads where fire protection is readily available.

B. Principal Permitted Uses:

- (1) Single-family dwellings.
- (2) Two-family dwellings.
- (3) Multiple-family dwellings.
- (4) Farms, farming and farmhouses as defined in Section 6-5 Definitions. Generally farms, farm buildings and farmhouses, which are primarily adapted for agricultural purposes, are exempt from County zoning regulations. (See Section 6-4 Agricultural Exemptions).
- (5) Group housing with a minimum lot area of one (1) acre.
- (6) Health Care Facility, to include nursing homes and elder care facilities, with a minimum lot area of one (1) acre.

C. Accessory Permitted Uses:

- (1) Accessory uses customarily incidental to any principal use within this District, and also including any accessory uses permitted in an "R-1" District using the same restrictions.

D. Special Permitted Uses: The following special uses may be permitted in the "R-2" District upon review by the Board of Adjustment in accordance with the provisions contained in Section 6-30.

- (1) Any special permitted use allowed in "R-1" District using the same restrictions.
- (2) Mobile Home Parks established in accordance with Section 6-25.
- (3) Travel Trailer Parks established in accordance with Section 6-26.

E. Minimum Lot Area, Lot Width, Setback, & Maximum Height Requirements

Principal Building

Lot Area Lot Width Front Yard Side yard Rear Yard Max Stories Max Height

1 or 2 family

10,000 sq ft 100 ft 25 ft 10 ft 20 ft 2½ 35 ft

Per unit

Multi-family

10,000 sq ft 200 ft 25 ft 15 ft 25 ft 3 45 ft

Plus 5,000 sq ft

Per unit

Accessory Buildings

Lot Area Lot Width Front Yard Side yard Rear Yard Max Stories Max Height

N/A N/A 50 ft 10 ft 10 ft 2 35 ft

6-14. "CAD-R" COMMUNITY AREA DEVELOPMENT RESIDENTIAL DISTRICT

A. General Intent: The "CAD-R" Community Area Development Residential District is intended and designed to establish the regulations covering the residential areas of the

two established CADs in Scott County, Village Oaks and Park View. In the areas shown as "Townhouses" and "Apartments" on the official colored master plan of 1966 entitled "Park View Scott County, Iowa" or any amendment thereto, the permitted uses, accessory uses and special permitted uses shall be the same as the "R-2" District, unless specified differently elsewhere in the Ordinance.

B. Principal Permitted Uses:

- (1) Single-family dwellings as shown on the approved Park View CAD Plan, 1966, as amended.
- (2) Townhouses and Apartments as shown on the approved Park View CAD Plan, 1966, as amended.
- (3) Churches and Schools as shown on the approved Park View CAD Plan, 1966, as amended.
- (4) Parks and Open Space as shown on the approved Park View CAD Plan, 1966, as amended.

C. Accessory Permitted Uses:

- (1) Accessory uses customarily incidental to any of the permitted uses in this District. Only one commercial vehicle may be parked and/or stored on the property unless it is used in conjunction with an approved home business. Accessory uses not permitted include, but are not limited to, the following uses: the visible accumulation of domestic junk such as vehicular parts, tires, trailers, salvaged building materials, broken or junk appliances, and other sorts of junk, salvage or debris covering more than 100 square feet of area (cumulative for individual properties). In staying within the allowable 100 square feet, no individual junk, salvage or debris pile shall exceed six (6) feet in height. Two (2) or more junk vehicles on subdivision lots shall also be considered a prohibited accessory use (See Section 6-5.60. Junk Vehicle). Any accessory commercial use which is not approved as a home business as outlined in Section 6-6.V. is not permitted.
- (2) Home occupations in compliance with the requirements of Section 6-6.V.
- (3) Private kennels.

D. Special Permitted Uses: The following special uses may be permitted in any established "CAD-R" District upon review by the Board of Adjustment in accordance with the provisions contained in Section 6-30.

- (1) Home occupations that exceed the requirements of Section 6-6.V. and reviewed under the criteria of Section 6-30.C.(2)

E. Minimum Lot Area, Lot Width, Setback, & Maximum Height Requirements

Principal Building

Park View

Lot Area	Lot Width	Front Yard	Side yard	Rear Yard	Max Stories	Max Height
8,000 sq ft	80 ft	25 ft	5 ft	15 ft	2½	35 ft

Village Oaks

Lot Area	Lot Width	Front Yard	Side yard	Rear Yard	Max Stories	Max Height
30,000 sq ft	100 ft	50 ft	10 ft	40 ft	2½	35 ft

Accessory Buildings

Park View

Lot Area	Lot Width	Front Yard	Side yard	Rear Yard	Max Stories	Max Height
N/A	N/A	25 ft	5 ft	5 ft	2	35 ft

Village Oaks

Lot Area Lot Width Front Yard Side yard Rear Yard Max Stories Max Height
N/A N/A 50 ft 10 ft 10 ft 2 35 ft

6-15. "CAD-PVC" COMMUNITY AREA DEVELOPMENT PARKVIEW COMMERCIAL DISTRICT

A. General Intent: The "CAD-PVC" Community Area Development Park View Commercial District is intended and designed to establish the regulations in areas designated "Commercial," "Office," or "Shopping Center" on the official colored master plan of 1966 entitled "Park View Scott County, Iowa" or any amendment thereto. The district is intended to serve the commercial, retail, office, and service needs of Park View residents and rural Scott County. It is not intended for light industrial or residential uses.

B. Principal Permitted Uses:

(1) Neighborhood retail commercial services, including but not limited to:

- a. Retail sales and service businesses, including convenience stores with fuel sales, car washes, but no vehicle repair, painting or auto body work;
- b. Restaurants and drinking establishments;
- c. Financial institutions such as banks and savings and loan offices;
- d. Professional, administrative, service and general business offices;
- e. Medical offices, clinics and health care related facilities;
- f. Indoor recreational or entertainment businesses;
- g. Other uses, subject to site plan review, which are determined by the Planning and Zoning Commission to be of a similar and compatible nature to the above uses.

(2) Schools, public and private educational institutions, preschools and day care facilities.

(3) Churches or other places of worship, including parish house, Sunday school building, and bulletin boards.

C. Accessory Permitted Uses: Accessory uses customarily incidental to any allowed use within the district.

D. Special Permitted Uses: None.

E. Minimum Lot Area, Lot Width, Setback, & Maximum Height Requirements
Principal Building

Lot Area Lot Width Front Yard Side yard Rear Yard Max Stories Max Height
20,000 sq ft 130 ft 25 ft 5 ft 15 ft 3 35 ft

Accessory Buildings

Lot Area Lot Width Front Yard Side yard Rear Yard Max Stories Max Height
N/A N/A 25 ft 5 ft 5 ft 2 35 ft

6-16. "C-1" NEIGHBORHOOD COMMERCIAL DISTRICT

A. General Intent: The "C-1" Neighborhood Commercial District is intended and designed to provide for areas for office/commercial, commercial/service and retail businesses that serve the local community and are generally limited in size and scope. Such Districts will only be permitted on adequately constructed paved County/State roads.

B. Principal Permitted Uses:

(1) Farms, farming and farmhouses as defined in Section 6-5 Definitions. Generally farms, farm buildings and farmhouses, which are primarily adapted for agricultural

purposes, are exempt from County zoning regulations. (See Section 6-4 Agricultural Exemptions).

(2) Dwelling units which are physically a part of, and subordinate to, a retail, office or service establishment, and which meet all County Health Department requirements.

(3) Neighborhood Retail Commercial Uses, in buildings not exceeding 5,000 square feet of floor area and without outdoor storage of materials, including but not limited to:

a. Retail sales and service businesses, including convenience stores with fuel sales, car washes, but no vehicle repair, painting or auto body work;

b. Restaurants and drinking establishments;

c. Financial institutions such as banks and savings and loan offices;

d. Professional, administrative, service and general business offices;

e. Medical offices, clinics and health care related facilities;

f. Indoor recreational or entertainment businesses;

g. Other uses, subject to site plan review, which are determined by the Planning and Zoning Commission to be of a similar and compatible nature to the above uses.

(4) Franchised utility substations, including any mechanical buildings.

C. Accessory Permitted Uses: Accessory uses customarily incidental to any allowed use within the District.

D. Special Permitted Uses:

(1) Schools, public and private educational institutions, and preschools and day care facilities

(2) Churches or other places of worship, including parish house, Sunday school building, and bulletin boards

(3) Bed and Breakfast homes.

E. Minimum Lot Area, Lot Width, Setback, & Maximum Height Requirements
Principal Building

Lot Area	Lot Width	Front Yard	Side yard	Rear Yard	Max Stories	Max Height
No sewer or water						

1 acre	130 ft	25 ft	10 ft	20 ft	3	35 ft
--------	--------	-------	-------	-------	---	-------

W/sewer or water						
------------------	--	--	--	--	--	--

20,000 sq ft	80 ft	25 ft	10 ft	20 ft	3	35 ft
--------------	-------	-------	-------	-------	---	-------

Accessory Buildings

Lot Area	Lot Width	Front Yard	Side yard	Rear Yard	Max Stories	Max Height
N/A	N/A	25 ft	10 ft	10 ft	2	35 ft

N/A	N/A	25 ft	10 ft	10 ft	2	35 ft
-----	-----	-------	-------	-------	---	-------

6-17. "C-2" COMMERCIAL AND LIGHT INDUSTRIAL DISTRICT

A. General Intent: The "C-2" Commercial and Light industrial District is intended and designed to provide areas for general commercial, highway commercial and light industrial uses intended to serve the needs of the County and the Quad Cities in areas along adequately constructed paved County/State roads.

B. Principal Permitted Uses:

(1) Any principal permitted use in the "C-1" District using the same restrictions.

(2) Retail and wholesale commercial sales and service businesses including outdoor storage of materials and equipment, with all outdoor storage screened from any adjacent road and residences.

(3) Financial institutions such as banks and savings and loan offices.

(4) Professional, administrative, service and general business offices.

- (5) Medical office, clinics and health care related facilities.
 - (6) New and used vehicle sales and service including service and body shops but not including parts salvage or vehicle dismantling.
 - (7) Truck stops, truck terminals and trucking companies.
 - (8) Restaurants, drinking establishments and night clubs.
 - (9) Hotel-motel and tourist related service businesses.
 - (10) Indoor and outdoor recreational and entertainment businesses.
 - (11) Adult bookstores, adult video stores, adult motion pictures theaters, and sexual activity establishments subject to the following conditions:
 - a. Location: These uses shall not be located within one thousand (1000) feet of each other; not within one thousand (1000) feet of any public or private school, licensed day care facility, church, public park or residential district and not within five hundred (500) feet of any existing dwelling.
 - b. Restrictions: Sexual activity establishments shall not allow touching as defined in specified sexual activities between employees and between employees and patrons. All building openings, entries, windows, etc., for any of the above uses, shall be located, covered, or screened in such a manner to prevent a view into the interior from any public or semi-public areas and such display shall be considered as signs. Any of the above activities which do not conform to the provisions set forth in this subparagraph shall be considered in violation of this Ordinance.
 - (12) Light industrial uses conducted entirely within an enclosed building and no excessive noise, dust and smoke beyond the property and all outdoor storage screened from any adjacent road and residences.
 - (13) Contractor office, storage and sales with all outdoor storage of equipment and materials screened from any adjacent road and residences.
 - (14) Warehouse, storage, rental business and services with all outdoor storage screened from any adjacent road and residences.
 - (15) Other uses, subject to site plan review which are determined by the Planning and Zoning Commission to be of a similar and compatible nature to the above uses.
- C. Accessory Permitted Uses:
- (1) Accessory uses customarily incidental to any permitted principal use within this District; including dwelling units physically attached and subordinate to such use, and which meet all County Health Department requirements.
- D. Special Permitted Uses:
- (1) Airport or commercial landing fields, for commercial and private aircraft and helicopters
 - (2) Communication towers and antennas, with the Board of Adjustment considering the following:
 - (a) Any equipment cabinet or building shall be adequately screened from nearby residential uses;
 - (b) Co-location shall be preferred over new tower construction;
 - (c) The tower shall be removed when the use of the tower has ceased for one (1) year or greater.
 - (d) When the party establishing the use does not own the property on which it is to be constructed or installed, the applicant shall provide a signed lease agreement, which

shall include provisions for decommissioning and removal of the tower and equipment at the end of the lease term or when the tower is no longer in use;

(e) The applicant shall provide documentation of compliance with any applicable regulations of the National Environmental Policy Act (NEPA), National Historic Preservation Act (NHPA), and/or the Federal Aviation Administration (FAA).

(4) Mobile Home Parks established in accordance with Section 6-25.

(5) Travel Trailer Parks established in accordance with Section 6-26.

E. Minimum Lot Area, Lot Width, Setback, & Maximum Height Requirements

Principal Building

Lot Area	Lot Width	Front Yard	Side yard	Rear Yard	Max Stories	Max Height
----------	-----------	------------	-----------	-----------	-------------	------------

No sewer or water						
-------------------	--	--	--	--	--	--

2 acre	130 ft	50 ft	10 ft	20 ft	3	45 ft
--------	--------	-------	-------	-------	---	-------

W/sewer or water						
------------------	--	--	--	--	--	--

1 acre	130 ft	50 ft	10 ft	20 ft	3	45 ft
--------	--------	-------	-------	-------	---	-------

W/sewer & water						
-----------------	--	--	--	--	--	--

20,000 sq ft	100 ft	25 ft	10 ft	20 ft	3	45 ft
--------------	--------	-------	-------	-------	---	-------

Accessory Buildings

Lot Area	Lot Width	Front Yard	Side yard	Rear Yard	Max Stories	Max Height
----------	-----------	------------	-----------	-----------	-------------	------------

N/A	N/A	50 ft	10 ft	10 ft	2	35 ft
-----	-----	-------	-------	-------	---	-------

6-18. "I" INDUSTRIAL DISTRICT

A. General Intent: The "I" Industrial District is intended and designed to provide areas for industrial and/or commercial development of a more intense character. Prior to establishment of any such district adequate information shall be submitted regarding the effect of the proposed use on the adjoining property and area, the adequacy of the County road system to handle the anticipated traffic, any potential traffic hazards, 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. This district is intended to accommodate industrial uses other than those requiring an Industrial Floating Zone, and is intended to be established through the rezoning of existing commercial, industrial, or Agricultural General ("A-G") holding zone districts, excluding the Park View Commercial District ("CAD-PV"). It is not intended that this district be established through the rezoning of any existing residential district.

Any existing land zoned "M" Heavy Manufacturing at the time and date of adoption of this Ordinance shall be classified as "I" Industrial District on the Official Zoning Map and may continue as the established use. Any re-occupancy, change in use or new development of such property would be subject to the review and approval of a site plan in accordance with the regulations of Section 6-29 Site Plan Review.

B. Principal Permitted Uses: A building or premises may be used or occupied for a variety of purposes; provided the regulations listed in the following subsections are met:

(1) Any permitted use in the "C-2" District.

(2) Asphalt plants.

(3) Bulk tank storage plant facilities and other raw materials storage yards exceeding ten (10) acres in size.

(4) Concrete mixing and concrete products manufacturing.

- (5) Secondary and tertiary processing of stone, sand, gravel, dirt, clay, and similar materials which require a fixed plant.
- (6) Manufacture and assembly operations that are not conducted entirely within an enclosed building, that generate noise, smoke, odors and/or dust and that involve significant areas of outdoor storage of materials or finished products.
- (7) Metal foundries
- (8) Junk, salvage, or scrap metal yards. Junk, metal or rags, storage or baling, where the premises upon which such activities are conducted are wholly enclosed within a building, wall or solid fence not less than six (6) feet in height, completely obscuring the activity. Existing legal junk yards may continue operation, but must meet certain screening requirements within six (6) months of the effective date of this Ordinance. Such junk yards must comply with the fifty (50) foot setback requirements for all junk and scrap metal and must screen such material from the County road with solid material fence which screens all such junk and scrap metal. Such fence shall be a minimum six (6) feet high.
- (9) Manufacture and wholesale storage of fertilizers exceeding ten (10) acres in size.
- (10) Petroleum, liquid or gaseous, or its products, refining and wholesale storage.
- (11) Meat packing, meat processing and rendering facilities or refining and wholesale storage.
- (12) Other uses, subject to site plan review which are determined by the Planning and Zoning Commission to be of a similar and as intense in nature as the above uses.

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

D. Special Permitted Uses: Any special permitted uses allowed in C-2.

E. Required Conditions for Permitted and Accessory Uses in an "I" Zoning District:

- (1) The best reasonable means for the disposal of refuse matter or water carried waste, the abatement of obnoxious or offensive odors, smoke, dust, gas, noise, or similar nuisance shall be employed.
- (2) All buildings and accessory buildings or structures shall be located at least one hundred (100') feet from an "R-1" or "R-2" District boundary and not less than fifty (50') feet from any District except a "C-2" District.
- (3) All uses which require heavy truck usage shall only be located on adequately constructed paved roads which avoid residential areas.
- (4) Adequate safeguards shall be taken to fence or screen any on-site hazard from the public.
- (5) All stormwater drainage shall meet all applicable local, state and Federal regulations and all existing agricultural drainage tiles and underground drainage system shall be maintained and remain unimpeded.
- (6) The proposed location, design, construction and operation shall not diminish or impair established property values in adjoining or surrounding property.

F. Minimum Lot Area, Lot Width, Setback, & Maximum Height Requirements

Principal Building

Lot Area Lot Width Front Yard Side yard Rear Yard Max Stories Max Height

No sewer or water

2 acre 150 ft 50 ft 20 ft 20 ft 3 TBD

W/sewer or water

1 acre 150 ft 50 ft 20 ft 20 ft 3 TBD*

W/sewer & water

20,000 sq ft 100 ft 25 ft 10 ft 20 ft 3 TBD*

Accessory Buildings

Lot Area Lot Width Front Yard Side yard Rear Yard Max Stories Max Height

N/A N/A 50 ft 10 ft 10 ft 2 TBD*

*All building & structure heights to be determined and established with site plan review and approval.

6-19. "I-F" INDUSTRIAL FLOATING DISTRICT

A. General Intent: The "I-F" Industrial Floating District is intended and designed to provide areas for very large scale industrial and commercial development of a more intense character than is allowed in other commercial, or light industrial zoning districts. The District is also intended to accommodate very large scale industrial/commercial uses requiring considerable amounts of contiguous land for operation and buffering, and which by their nature represent a substantial and significant economic development opportunity for Scott County and the region. Such very large scale industrial/commercial uses can be considered for review and approval through the rezoning of property within existing commercial, industrial, or agricultural zoning districts. The adopted industrial development objectives of the Scott County Comprehensive Plan identify the conditions under which the creation of such an "I-F" District can be approved for a very large scale industrial/commercial development.

Prior to establishment of any such floating district adequate information shall be submitted regarding the effects of the proposed use upon the local and regional economy, the impact on the adjoining property and area, the adequacy of the road system to handle the anticipated traffic, any potential traffic hazards, 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 site plan approval will occur in conjunction with the rezoning review and approval. The standards, criteria and conditions of approval will be applied, as deemed appropriate and applicable, during the rezoning review and approval process.

B. Principal Permitted Uses: Land or buildings may be used for any of the following, in so far as the regulations contained in Sections D, E, and F are met.

(1) Any use permitted in the "I" District that due to its size and scale requires an "I-F" zoning classification.

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

D. Special Permitted Uses: None

E. The Planning Commission and Board of Supervisors shall consider the following characteristics of any land being petitioned for a rezoning to an "I" Floating District:

(a) Present use

(b) Corn suitability rating (CSR)

(c) Access/proximity of existing transportation networks, sewer or water connections, or other needed infrastructure; as well as the feasibility of extending such facilities, if necessary

(d) Particular suitability or adaptability of the land to accommodate the proposed use

F. Required Conditions for rezoning land to "I-F" Industrial Floating District:

(1) No portion of the site proposed to be developed, including but not limited to buildings, storage areas, and transportation facilities, may be located in a mapped 100-year or 500-year floodplain.

(2) The potential impacts on any environmentally sensitive areas, such as lakes, ponds, streams, rivers and wetlands, steep slopes, aquifers and recharge areas, unstable building sites, natural wooded areas, prairie and other wildlife habitats, shall be identified and considered for reasonable mitigation. The Planning Commission may recommend, and the Board of Supervisors may approve, off-site mitigation of environmentally sensitive areas as opposed to their preservation.

(3) The best reasonable means known for the disposal of refuse matter or water carried waste, the abatement of obnoxious or offensive odors, smoke, dust, gas, noise, or similar nuisance shall be employed.

(4) All buildings and accessory buildings or structures shall be located at least five hundred (500) feet from an "R-1" or "R-2" District boundary and not less than one hundred (100) feet from any other District except a "C-2" or "I" District.

(5) All uses which require heavy truck usage shall only be located on adequately constructed paved roads which avoid residential areas.

(6) Adequate safeguards shall be taken to fence or screen an on-site hazard from the public.

(7) The proposed location, design, construction and operation shall consider the impact on the property values of adjoining or surrounding property.

(8) Any development plan must provide documentation that the project will not negatively affect the operation of existing agricultural drainage tiles on adjacent properties.

G. Procedure for Rezoning Land to "I-F" Industrial Floating

(1) Developer/landowner must apply to the Planning and Zoning Commission for approval of a specific development plan involving one of the principal permitted uses listed in

paragraph "B" above. The development plan must include a site plan for the development in accordance with Section 6-29 Site Plan Regulations. The standard rezoning procedures contained in Section 6-31 Zoning Amendment Procedures shall be followed, beginning with the Planning and Zoning Commission holding a rezoning public hearing before making a recommendation to the Board of Supervisors.

(2) Developer must apply for all State and federal required permits for the proposed development and provide copies of the application for review.

(3) The Board of Supervisors will receive the Commission's recommendation plus information received during the Commission public hearing process and will hold a public hearing in accordance with Section 6-31 Zoning Amendment Procedures. Based on the Commission recommendation, County staff comments, a review of the required State permit applications, and comments from the applicant and the public, the Board may approve or deny the application. If approved, the site plan approval conditions will be included with the ordinance changing the zoning. Final County approval is contingent on State and/or Federal permit approval as may be required

(4) If the applicant's application is adopted by the Board, the department staff shall update the zoning map to show the specific location of the "I-F" district (including the separation spacing).

H. Minimum Lot Area, Lot Width, Setback, & Maximum Height Requirements: The lot area, building and structure setbacks and heights of buildings and structures will be determined and approved through the established procedures.

6-20. "SW-F" SOLID WASTE DISPOSAL SITE FLOATING DISTRICT

A. General Intent: The "SW-F" Solid Waste Disposal Site Floating District is intended and designed to meet a preponderance of the policies and guidelines of the comprehensive Scott County Landfill Siting Policies as adopted in 1993 and any amendments thereto. The area rezoned to "SW-F" will be large enough to meet the needs for landfilling and waste recovery, plus a buffer area. Specific conditions for construction, operation, and closing the facility will be developed during the solid waste disposal siting process, as prescribed in the General Provisions section of this District below.

B. Principal Permitted Uses: Property and building in a "SW-F" Solid Waste Disposal Sites District shall be used for the following purposes:

(1) Current land and building uses as of May 1, 1993, if legal in the current zoning district.

(2) Solid Waste Disposal Sites, if approved in accordance with the General Provisions section of this District.

(3) Conservation and wildlife habitat.

C. Accessory Permitted Uses: Accessory buildings and uses customarily incidental to any of the uses in paragraph "B" above.

D. General Provisions: No new solid waste disposal site or extensions to existing legal solid waste disposal site shall be allowed until approved by the Board of Supervisors. Such site and proposed operational procedures shall comply with Iowa Department of Natural Resources rules.

E. Application Procedures:

(1) Applications shall be made in writing signed by the applicant, in accordance with Section 455B., Iowa Code, and shall contain the location and legal description of the proposed site. The application must be accompanied by eight (8) copies of the documents described in Section 455B.305A.2., 2015 Code of Iowa.

(2) The Zoning Administrator, upon receipt of the application, documents, and filing fee, shall forward copies of the application to the Planning and Zoning Commission, and a complimentary copy to the Board of Supervisors. The Commission shall conduct a public hearing at least forty-five (45) days and no later than seventy-five (75) days after receipt before making a recommendation to the Board of Supervisors. The applicant shall file a rezoning application no sooner than thirty (30) days prior to the public hearing so that the Solid Waste Disposal site and rezoning procedures can be handled concurrently. A public notice of the joint purpose public hearing shall be published in the official newspapers in accordance with Section 331.305, Iowa Code. Property owners of record, as described in Sections 455B.305A.3, Iowa Code, shall be notified of the public hearing by ordinary first class mail. The Commission shall forward a recommendation to the Board of Supervisors within thirty (30) days of the hearing.

(3) The Board of Supervisors shall receive the recommendation of the Commission and six (6) additional copies of the application from the applicant and hold a public hearing in conformance with Sections 455B.305A.5, Code of Iowa and this Ordinance. The Board shall not make a decision until the public has had a 30-day opportunity to

comment on the public hearing for site approval and rezoning. The first reading of the rezoning shall be delayed until after the 30-day review period. Before final Board action to approve, approve with conditions, or to disapprove, the applicant's proposal shall be made available to the public in writing. The second reading of the ordinance to amend the zoning ordinance and map will be delayed and reflect the decision of the Board. The rezoning shall be denied if the application for site approval is denied.

(4) The applicant is entitled to one amendment to the original application. It will be administered in conformance with Sections 455B.305A.6., 1993 Code of Iowa.

(5) The application fee shall be \$1,000 to start the process. The County shall monitor all reasonable and necessary costs for reviewing the original application and one amendment, if any, including staff costs and other overhead costs. When the costs exceed \$1,000, the applicant will reimburse the County for all reasonable and necessary costs within thirty days of receipt of itemized County claims.

F. Standards for Reviewing: In considering an application for a Solid Waste Disposal Site, the Planning and Zoning Commission and Board of Supervisors will assure themselves that:

(1) The proposed site is or will be zoned "SW-F".

(2) The proposed site meets the preponderance of the Scott County Landfill Siting Policy Statement and Scott County Land Use Policies.

(3) The proposed site meets or exceeds all requirements for such sites as regulated by the Iowa Department of Natural Resources.

G. Minimum Lot Area, Lot Width, Setback, & Maximum Height Requirements: The lot area, building and structure setbacks and heights of buildings and structures will be determined and approved through the established procedures.

6-21 GENERAL PROVISIONS OF THE FLOODWAY, FLOODWAY FRINGE, AND GENERAL FLOODPLAIN OVERLAY DISTRICTS

A. Permit Required: No person, firm, or corporation shall initiate any development or cause the same to be done in any Flood Plain Overlay District without first obtaining a permit for such development. The Administrative Officer shall review all permit applications to determine if the standards of the Flood Plain Overlay Districts will be met and to insure that all necessary permits will be obtained from Federal, State, and Local governmental agencies.

(1) Application for Permit - Application for a Flood Plain Development Permit shall be on forms supplied by the Administrator and shall include the following information:

(a) Description of the work to be covered by the permit for which application is to be made.

(b) Description of the land on which the proposed work is to be done (i.e., lot, block, tract, street address or similar description) that will readily identify and locate the work to be done.

(c) Identification of the use or occupancy for which the proposed work is intended.

(d) Elevation of the 100-year flood.

(e) Elevation (in relation to the National Geodetic Vertical Datum) of the lowest floor including basement) of buildings or of the level to which a building is to be floodproofed.

(f) For buildings being improved or rebuilt, the estimated cost of improvements and assessed value of the building prior to the improvements.

(g) Such other information as the Administrator deems reasonably necessary for the purpose of this ordinance.

(2) Filing Fee - All applications shall pay a fee based on the fee schedule approved by the Board of Supervisors.

(3) Action on Permit Application - The Administrator shall, within a reasonable time, make a determination as to whether the proposed flood plain development meets the applicable provisions and standards of this ordinance and shall approve or disapprove the application. For disapprovals, the applicant shall be informed, in writing, of the specific reasons therefore. The Administrator shall not issue permits for variances except as directed by the Board of Adjustment.

(4) Construction and Use to be Provided in Application and Plans - Flood Plain Development Permits issued on the basis of approved plans and applications authorize only the use, arrangement, and construction set forth in such approved plans and applications and no other use, arrangement or construction. Any use, arrangement or construction at variance with that authorized shall be deemed a violation of this Ordinance. The applicant shall submit an "as built" Certificate of Elevation by a professional engineer or land surveyor, as appropriate, registered in the State of Iowa, that the finished fill, building floor elevations, floodproofing, or other flood protection measures were accomplished in compliance with the provisions of the Ordinance, prior to the use or occupancy of any structure.

B. Notification or Alteration or Relocation of Watercourse: The Director/Zoning Administrator shall notify adjacent communities or counties and the Iowa Department of Natural Resources prior to any proposed alteration or relocation of a watercourse.

C. Warning and Disclaimer of Liability: The degree of flood protection required by the standards of the Flood Plain Overlay Districts is considered reasonable for regulatory purposes and is based on engineering and scientific methods of study. Larger floods may occur on rare occasions or the flood heights may be increased by manmade or natural causes, such as ice jams and bridge openings restricted by debris. These standards and provisions do not imply that areas outside the Floodway, Floodway Fringe, or General Flood Plain Overlay Districts will be free from flooding or flood damage. These provisions shall not create liability on the part of Scott County or any officer or employee thereof for any flood damage that may result from reliance on these provisions or any administrative decision lawfully made thereunder.

D. Abrogation and Greater Restrictions: it is not intended by this Ordinance to repeal, abrogate or impair any existing easements, covenants, or deed restriction. However where this Ordinance imposes greater restrictions, the provision of this Ordinance shall prevail. All other ordinances inconsistent with this Ordinance are hereby repealed to the extent of the inconsistency only.

6-22. "FW" FLOODWAY OVERLAY DISTRICT

A. General Intent: It is the intent of the "FW" Floodway Overlay District that the identified area is designated to carry flood waters and should be protected from developmental encroachment which would increase the flood levels or cause unnecessary threats to personal property or allow unnecessary threats to personal safety. Buildings and structures which impede the free flow of flood waters will not be allowed.

B. Development Standards: All uses in the "FW" Overlay District shall comply with the underlying Zoning District requirements and the provisions of Section 6-18. In addition, the following standards shall be met:

- (1) No use shall cause any increase in the 100 year flood level. Consideration of the effects of any development on flood levels shall be based upon the assumption that an equal degree of development would be allowed for similarly situated lands.
- (2) All proposed uses and construction shall be consistent with the need to minimize flood damage, and use construction materials and utility equipment that are resistant to flood damage.
- (3) No use shall affect the capacity or conveyance of the channel or floodway of any tributary to the main stream, drainage ditch, or any other drainage facility or system.
- (4) Structures, buildings and sanitary and utility systems, if permitted, shall meet the applicable performance standards of the Floodway Fringe District and shall be constructed or aligned to present the minimum possible resistance to flood flows.
- (5) Buildings, if permitted, shall have a low flood damage potential and shall not be for human habitation.
- (6) Storage of materials or equipment that are buoyant, flammable, explosive, or injurious to human, animal or plant life is prohibited. Storage of other material may be allowed if readily removable from the Floodway District within the time available after flood warning.
- (7) Watercourse alterations or relocations (channel changes and modifications) must be designed to maintain the flood carrying capacity within the altered or relocated portion. In addition, such alterations or relocations must be approved by the Iowa Department of Natural Resources.
- (8) Any fill allowed in floodway must be shown to have some beneficial purpose and shall be limited to the minimum amount necessary.
- (9) Pipeline river or stream crossings shall be buried in the streambed and banks or otherwise sufficiently protected to prevent rupture due to channel degradation and meandering or due to the action of flood flows.
- (10) No dwellings, including factory-built homes, shall be permitted.

6-23. "FF" FLOODWAY FRINGE OVERLAY DISTRICT

A. General Intent: The intent of the "FF" Floodway Fringe Overlay District is to require special site planning and construction standards to minimize the threats to personal safety and damage to property caused by flooding.

B. Development Standards: All uses in the "FF" Floodway Fringe Overlay District shall comply with the underlying Zoning District requirements and the provisions of Section 6-18. In addition, the following standards shall be met:

- (1) All structures shall i) be adequately anchored to prevent flotation, ii) be constructed with materials and utility equipment resistant to flood damage, and iii) be constructed by methods and practices that minimize flood damage.
- (2) Residential Buildings: All new, substantially improved, or substantially damaged residential structures shall have the lowest floor, including basements, elevated a minimum of one (1) foot above the 100-year flood level. Construction shall be upon compacted fill which shall, at all points, be no lower than one (1) foot above the 100-year flood level and extend at such elevation at least eighteen (18) feet beyond the limits of any structure erected thereon. Alternate methods of elevating (such as piers)

may be allowed, subject to favorable consideration by the Director/Zoning Administrator, where existing topography, street grades, or other factors preclude elevating by fill. In such

cases the methods used must be adequate to support the structure as well as withstand the various forces and hazards associated with flooding. All new residential buildings shall be provided with a means of access which will be passable by emergency vehicles during the 100-year flood.

(3). Non-residential buildings - All new and substantially improved, or substantially damaged non-residential buildings shall have the first floor (including basement) elevated a minimum of one (1) foot above the 100-year flood level, or together with attendant utility and sanitary systems, be floodproofed to that level. When floodproofing is utilized, a professional engineer registered in the State of Iowa shall certify that the floodproofing methods used are adequate to withstand the flood depths, pressures, velocities, impact and uplift forces and other factors associated with the 100-year flood. A record of certification indicating the specific elevation (in relation to National Geodetic Vertical Datum) to which any structures are floodproofed shall be maintained by the Administrative Officer.

(4) The exemption of detached garages, sheds, and similar structures from the 100-year flood elevation requirements may result in the increased premium rates for insurance coverage of the structure and contents. However, these detached garages, sheds, and similar accessory-type structures are exempt from the 100-year flood elevation requirements when:

- (a) The structure shall not be used for human habitation.
- (b) The structure shall be designed to have low flood damage potential.
- (c) The structure shall be constructed and placed on the building site as to offer minimum resistance to the flow of floodwaters.
- (d) The structures shall be firmly anchored to prevent flotation which may result in damage to other structures.
- (e) The structure's service facilities such as electrical and heating equipment shall be elevated or floodproofed to at least one (1) foot above the 100-year flood level.

(5) All new and substantially improved structures:

(a) Fully enclosed areas below the "lowest floor" (not including basements) that are subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or meet or exceed the flooding minimum criteria:

- i. A minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided.
- ii. The bottom of all openings shall be no higher than one foot above grade.
- iii. Openings may be equipped with screens, louvers, valves or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.

(b) New and substantially improved structures must be designed (or modified) and adequately anchored to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy.

(c) New and substantially improved structures must be constructed with electrical, heating, ventilation, plumbing, and air conditioning equipment and other service facilities

that are designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding.

(6) Factory-built homes shall be anchored to resist flotation, collapse, or lateral movement according to the State Building Code and shall be elevated on a permanent foundation such that the lowest floor of the structure is a minimum of one (1) foot above the 100-year flood level. All new or replacement factory-built homes shall comply with these requirements.

(a) Recreational vehicles are exempt from the requirements of this Ordinance regarding anchoring and elevation of factory-built homes when the following criteria are satisfied;

i. The recreational vehicle shall be located on the site for less than 180 consecutive days, and

ii. The recreational vehicles must be fully licensed and ready for highway use if it is on its wheels or jacking system and is attached to the site only by quick disconnect type utilities and security device and has no permanently attached additions.

(b) The recreational vehicles that are located on the site for more than 180 consecutive days or are not ready for highway use must satisfy requirements of this Ordinance regarding anchoring and elevation of factory built homes

(7) Utility and Sanitary Systems:

(a) All new and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the system as well as the discharge of effluent into flood waters. Wastewater treatment facilities shall be provided with a level of flood protection equal to or greater than one (1) foot above the 100-year flood elevation.

(b) On site waste disposal systems shall be located or designed to avoid impairment to the system or contamination from the system during flooding.

(c) New or replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system. Water supply treatment facilities shall be provided with a level of protection equal to or greater than one (1) foot above the 100-year flood elevation.

(d) Utilities such as gas and electrical systems shall be located and constructed to minimize or eliminate flood damage to the system and the risk associated with such flood damaged or impaired systems.

(8) No use shall affect the capacity or conveyance of the channel or floodway of any tributary to the main stream, drainage ditch, or other drainage facility or system.

(9) Subdivisions, including factory-built home parks and subdivisions, shall be consistent with the need to minimize flood damages and shall have adequate drainage provided to reduce exposure to flood damage. Development associated with subdivision proposals shall meet the applicable performance standards. Subdivision proposals intended for residential development shall provide all lots with a means of vehicular access during occurrence of the 100-year flood.

(10) Storage of materials and equipment that are flammable, explosive or injurious to human, animal or plant life is prohibited unless elevated a minimum of one (1) foot above the 100-year flood level. Other material and equipment must either be similarly elevated or i) not be subject to major flood damage and be anchored to prevent movement due to flood waters, or ii) be readily removable from the area within the time available after flood warning.

(11) Flood control structural works such as levees, floodwalls, etc., shall provide, at a minimum, protection from a 100-year flood with a minimum of three (3) feet of design freeboard and shall provide for adequate interior drainage. In addition, structural flood control works shall be approved by the Iowa Department of Natural Resources.

6-24. "GF" GENERAL FLOOD PLAIN OVERLAY DISTRICT

A. General Intent: The "GF" General Floodplain Overlay District reflects those areas which would be inundated during a 100-year flood, but for which specific flood elevations and floodway and floodway fringe limits have not been established. It is the intent of the "GF" Overlay District to impose the development standards of the FW and FF Overlay Districts after a determination is made to identify the floodway and floodway fringe areas on an individual project basis. Where 100-year flood data has not been provided in the Flood Insurance Study, the applicant for a Flood Plain Development Permit shall contact the Iowa Department of Natural Resources to compute such data. The Department of Natural Resources shall obtain, review and reasonably utilize any base flood elevation and floodway data available from a Federal, State, or other source, as criteria for reviewing new construction, substantial improvements, or other development in the General Flood Plain Overlay District.

(1) All uses or portions thereof to be located in the floodway as determined by the Iowa Department of Natural Resources shall meet the applicable standards of the "FW" Overlay District.

(2) All uses or portions thereof to be located in the floodway fringe as determined by the Iowa Department of Natural Resources shall meet the standards of the "FF" Overlay District.

6-25. MOBILE HOME PARK REGULATIONS

A. General Intent: Mobile Home Parks are uses of land which because of their unique characteristics are classified as a Special Use in the particular District or Districts identified so that in each case the impact upon the proposed site, neighboring land, public facilities, and the public need for such Parks in a particular location can be evaluated.

(1) Mobile homes may be occupied and used for dwelling purposes only if located in an approved Mobile Home Park in accordance with this Ordinance and Chapter 435, 2015 Code of Iowa. Such Parks may only be allowed in the following Zoning Districts through approval of a Special Use permit: "R-2", and "C-2".

(2) Mobile Home Parks are areas containing mobile homes which are structures designed and intended to be used as permanent living facilities. Mobile Home Parks may contain a limited number of travel trailers as defined in this Ordinance, intended to serve as temporary living facilities. Any travel trailer may locate in an approved Mobile Home Park not to exceed 180 days per calendar year. The allowance for travel trailers does not

include tents or tent camping within any Mobile Home Park. At any one time, a Mobile Home Park must have the majority (51% or more) of its occupied spaces containing Mobile Homes as defined in this Ordinance. Failure to comply with this majority requirement shall be grounds for revocation of the Special Use permit.

(3) Special Permitted Use: Any proposed Mobile Home Park shall apply for a Special Use permit, on forms provided by the Zoning Administrator, before any construction has begun or any mobile homes are placed on the site. The application shall be a written

application to the Zoning Board of Adjustment and include the following information as a minimum:

(a) The name, address, and signature of the applicant, the land owner, and the developer (if different).

(b) The location and legal description of the proposed tract for the Park.

(c) A brief description of why this site should be developed for a Mobile Home Park, including facts showing the proposed Park complies with the Comprehensive Plan and Land Use Policies.

B. Filing Fee: All applications shall pay a fee based on the fee schedule approved by the Board of Supervisors.

C. Site Plan Requirements: The application also shall be accompanied by a Site Plan, consisting of eight (8) copies, which will be used by the County and the Zoning Board of Adjustment in making its decision. The Site Plan shall be drawn at a reasonable and legible scale and shall include the following:

(1) A separate vicinity map showing the Park's relationship to existing streets, adjoining properties, and public facilities.

(2) Existing and proposed contour intervals of not more than five (5) feet, provided, however, that a minimum of two (2) contours shall be shown.

(3) The location of existing property lines and other pertinent information including but not limited to: Surface features, buildings, roads, railroads, utilities, watercourses, mature trees, and similar items affecting the development. Also, the location of sub-surface features, such as underground utilities and drain tiles.

(4) All existing adjacent subdivisions, streets, lots, and tracts of land along with the location of such homes, farm buildings, and other buildings.

(5) The proposed location of mobile home/travel trailer sites, streets, traffic flow, street lighting, access to public streets and roads, layouts for lots and spaces, location of utilities and utility easements, recreation areas, park accessory buildings and facilities.

(6) The location and manner of providing water supply and sewage treatment which meets Iowa DNR and Scott County Health Department regulations.

(7) A grading plan including detailed information complying with Iowa DNR and local Scott County regulations for handling storm water run-off.

(8) The title in large letters of the proposed Park, a north arrow, scale, the Zoning District in which the land is located, and the proposed street names in the Park.

D. Filing Sequence: Once the application, fee, and Site Plan (8 copies) are properly filed with the Zoning Administrator, the application shall be put on the next regular meeting for the Zoning Board of Adjustment, which allows twenty (20) days for review prior to the meeting. One copy will be forwarded to the Board of Health and the County Engineer for review and recommendation at the public hearing.

(1) The Zoning Administrator will make public notice in the newspaper and send notification to all property owners of record within five hundred (500) feet of the proposed Park site.

(2) The Zoning Board of Adjustment, after such public hearing, may grant a Special Use Permit to the applicant to operate a Mobile Home Park in Scott County. The decision may be postponed until the next regular meeting, if there is not enough information to make a proper decision after the public hearing.

E. Board Findings: The Board may approve such Park application if it can affirm that the proposed Park is to be located in an eligible Zoning District; that it substantially meets the standards and procedures of this Section, the general intent of the Zoning Ordinance, and the Comprehensive Plan; that there are adequate provisions for fire protection and water supply; that the proposed Park will not be detrimental to, nor endanger the public health, safety and general welfare; that it will not be injurious to the use and enjoyment of adjacent property owners for the purposes already permitted; nor will it substantially diminish property values within the neighborhood; and that the proposed Park will not impede the normal and orderly development of the surrounding property for uses permitted in the District. The Board may grant the permit, but include such conditions on the layout and operation of the Park as it deems essential to be consistent with the spirit, purpose, and intent of this Ordinance.

F. Standards: (Applicable to new parks and additions to existing parks)

(1) Minimum Site: The minimum site for a Mobile Home Park shall be five (5) acres.

(2) Mobile Home Density: A maximum density of eight (8) mobile homes per acre of ground is permitted.

(3) Open Space: Common open space shall be provided and based on a factor of three hundredths (0.03) acres per mobile home with a minimum of one (1) acre of useable land designated per Park addition.

(4) Roadways, Streets, and Driveways: For roads and streets in mobile home parks, the design standards and procedures for streets as prescribed in the Scott County Subdivision Ordinance, Section 9-17, shall apply. The applicant shall have all streets inspected throughout the construction process by a registered professional engineer who will certify that the streets meet the above standards.

(5) Street Lighting: Adequate street lighting shall be provided as necessary, and reviewed at the time the Special Use permit is considered.

(6) Off-Street Parking: Off-street parking shall be provided in the Park for the use of Park residents and guests. Parking spaces shall be hard surfaced in Mobile Home Parks and located conveniently to the mobile home lot or space. In Mobile Home Parks, two (2)

vehicle parking spaces shall be provided for each lot with a minimum of one (1) parking space on the lot.

(7) Spaces: Individual lots or spaces shall be so arranged that there will be at least a fifteen (15) foot clearance between units, including any additions. No mobile home shall be located closer than fifty (50) feet from the front property line (or right-of-way), nor closer than twenty (20) feet from any internal street or roadway surface, nor closer than twenty-five (25) feet from any side or rear property line, nor closer than five (5) feet from any interior lot line.

(8) Building and Other Improvements: Plans and specifications of all Park-owned buildings and other improvements, including sewage, gas, electric and water supply, roadways and sanitary facilities constructed or to be constructed within the Park shall comply with applicable laws of the State of Iowa, including Section 435 of the 2015 Code of Iowa, and with applicable Chapters of this Code.

Buildings and structures shall be limited to one (1) "convenience shopping" store, the residence of the owner/operator, utility and recreation buildings, and accessory buildings and structures for the mobile home park residents. The applicant shall provide

for an Iowa State Registered Professional Engineer to design the sanitary sewer and water systems and certify their installation according to the plans. The Professional Engineer will inspect the installation of the sewer and water systems and show proof thereof. Wastewater treatment systems for individual mobile homes are not permitted, unless approved by the Scott County Health Department.

(9) Ownership of Park: The Park owner may not sell or transfer title of any lot or space in such Park. In the event of any such transfer, the Special Use permit of the Park shall be automatically revoked, and all units shall be removed from the premises within thirty (30) days of written notice to do so from the Zoning Administrator. It is the intention hereof that such Parks may be transferred in their entirety, as long as the new Park owner agrees to comply with the Special Use permit.

(10) Occupancy: The Park may not be occupied until the sewer and water supply have been approved by the County Board of Health or the Iowa Department of Natural Resources (if applicable) and appropriate utilities have been installed and are operational. The internal roadways leading to the lot or space must be constructed. Once the utilities are in place, the Zoning Administrator will do an on-site inspection and provide a Certificate of Compliance for the Park or a phase of the Park.

(11) Certificate of Occupancy: Each mobile home requires a building permit and must be inspected before it can be occupied. .

(12) Changes in the Layout of the Park: Any substantial changes in the Park which would change lot sizes numbers, recreation areas, or street patterns first must be approved by the Zoning Administrator. Any new additions to the Park require the applicant to file for an amended Special Use permit with the Zoning Board of Adjustment.

(13) Failure to Construct Park: A Special Use permit issued by the Zoning Board of Adjustment for such a Park shall become null and void if no substantial development has been completed one (1) year after the granting of such permit. This period may be extended only upon review and written approval of the Zoning Administrator.

(14) Park Vacation: If a Mobile Home Park is vacated for more than one (1) year, the Special Use permit shall become null and void.

(15) Temporary Mobile Home Occupancy Permits: Application for a permit to occupy a mobile home for dwelling or sleeping purposes outside of a park upon a lot or premises occupied by a dwelling shall be made at the office of the Zoning Administrator. Such permits may be granted for two purposes: 1) the care of a person by a relative when the mobile home has a HUD seal and is located on the same property as the permanent home, and 2) the temporary residency of a person or family engaged in the construction of a permanent residence on the premises. Said application shall set forth the location of the occupied dwelling where such mobile home is to be used and occupied; the name of the owner or occupant of such mobile home or travel trailer together with his car license number and the license number of such mobile home or travel trailer.

The Office of the Zoning Administrator may issue a permit for the temporary occupancy of a mobile home or travel trailer outside of a Park upon receipt of the application as set forth in the previous paragraph. The permit may be issued for a period specified by the Administrative Officer and not to exceed one (1) year from the date of the granting of the permit; and such permit may be extended for good cause in the judgment of the Zoning Administrator.

6-26. TRAVEL TRAILER PARK REGULATIONS

A. General Intent: Travel Trailer Parks are uses of land which because of their unique characteristics are classified as a Special Use in the particular District or Districts identified so that in each case the impact upon the proposed site, neighboring land, public facilities, and the public need for such Parks in a particular location can be evaluated.

(1) Travel trailers may be occupied and used for temporary dwelling purposes only if located in an approved Travel Trailer Park or in an approved Mobile Home Park as addressed herein. Such Travel Trailer Parks may only be allowed in the following Zoning Districts through the approval of a Special Use permit: "A-G", "R-2", and "C-2".

(2) Trailer Parks are areas for the temporary location of travel trailers, as defined in this Ordinance and briefly here defined as motorized vehicles designed and intended for temporary living facilities. "Temporary" is intended to mean that such dwellings may be located in a Travel Trailer Park for no more than thirty (30) consecutive days, and for no more than 104 days in a calendar year (figure assumes location of a travel trailer for every weekend in a calendar year). Travel Trailer Parks may contain a limited number of tent/tent camping sites. Such tent sites are subject to the same maximum location requirements as travel trailers; no more than 30 consecutive days, and no more than 104 days in a calendar year. The location of a site built home, mobile home, or any other permanent or semi-permanent dwelling or structure other than a travel trailer or camping tent is prohibited.

(3) Special Permitted Use: Any proposed Travel Trailer Parks shall apply for a Special Use permit, on forms provided by the Zoning Administrator, before any construction has begun or any mobile homes are placed on the site. The application shall be a written application to the Zoning Board of Adjustment and include the following information as a minimum:

(a) The name, address, and signature of the applicant, the land owner, and the developer (if different).

(b) The location and legal description of the proposed tract for the Park.

(c) A brief description of why this site should be developed for a Travel Trailer Park, including facts showing how the proposed Park complies with the Comprehensive Plan and Land Use Policies.

B. Filing Fee: All applications shall pay a fee based on the fee schedule approved by the Board of Supervisors

C. Site Plan Requirements: The application also shall be accompanied by a Site Plan, consisting of eight (8) copies, which will be used by the County and the Zoning Board of Adjustment in making its decision. The Site Plan shall be drawn at a reasonable and legible scale and shall include the following:

(1) A separate vicinity map showing the Park's relationship to existing streets, adjoining properties, and public facilities.

(2) Existing and proposed contour intervals of not more than five (5) feet, provided, however, that a minimum of two (2) contours shall be shown.

(3) The location of existing property lines and other pertinent information including but not limited to: Surface features, buildings, roads, railroads, utilities, watercourses, mature trees, and similar items affecting the development. Also, the location of sub-surface features, such as underground utilities and drain tiles.

(4) All existing adjacent subdivisions, streets, lots, and tracts of land along with the location of such homes, farm buildings, and other buildings.

(5) The proposed location of travel trailer sites, streets, traffic flow, street lighting, access to public streets and roads, layouts for lots and spaces, location of utilities and utility easements, recreation areas, park accessory buildings and facilities.

(6) The location and manner of providing water supply and sewage treatment which meets Iowa DNR and Scott County Health Department regulations.

(7) A grading plan including detailed information complying with Iowa DNR and local Scott County regulations for handling storm water run-off.

(8) The title in large letters of the proposed Park, a north arrow, scale, the Zoning District in which the land is located, and the proposed street names in the Park.

D. Filing Sequence: Once the application, fee, and Site Plan (8 copies) are properly filed with the Zoning Administrator, the application shall be put on the next regular meeting for the Zoning Board of Adjustment, which allows twenty (20) days for review prior to the meeting. One copy will be forwarded to the Board of Health and the County Engineer for review and recommendation at the public hearing.

(1) The Zoning Administrator will make public notice in the newspaper and send notification to all property owners of record within five hundred (500) feet of the proposed Park site.

(2) The Zoning Board of Adjustment, after such public hearing, may grant a Special Use permit to the applicant to operate a Travel Trailer Park in Scott County. The decision may be postponed until the next regular meeting, if there is not enough information to make a proper decision after the public hearing.

E. Board Findings: The Board may approve such Park application if it can affirm that the proposed Park is to be located in an eligible Zoning District; that it substantially meets the standards and procedures of this Section, the general intent of the Zoning Ordinance, and the Comprehensive Plan; that there are adequate provisions for fire protection and water supply; that the proposed Park will not be detrimental to, nor endanger the public health, safety and general welfare; that it will not be injurious to the use and enjoyment of adjacent property owners for the purposes already permitted; nor will it substantially diminish property values within the neighborhood; and that the proposed Park will not impede the normal and orderly development of the surrounding property for uses permitted in the District. The Board may grant the permit, but include such conditions on the layout and operation of the Park as it deems essential to be consistent with the spirit, purpose, and intent of this Ordinance.

F. Standards: (Applicable to new parks and additions to existing parks)

(1) Minimum Site: The minimum site for a Travel Trailer Park shall be five (5) acres.

(2) Travel Trailer Density: A maximum density of fifteen (15) travel trailers per acre, and twenty-five (25) tents per acre, of ground is permitted.

(3) Open Space: Common open space shall be provided and based on a factor of three hundredths (0.03) acres per travel trailer space, and the same factor per every two (2) tent spaces (if applicable), with a minimum of one (1) acre of useable land designated per Park addition.

(4) Roadways, Streets, and Driveways: Roads, streets, and driveways, within Travel Trailer Parks shall be suitably graded, dust free, and constructed to provide proper drainage, safe and convenient access to each travel trailer space, and convenient

circulation of vehicles. Street layout will be designed to limit the number of access points onto the public road system and to minimize traffic hazards. The roadway surface shall be constructed to maintain a driving area at least twenty (20) feet wide the entire route. If a pavement is desired, it shall first be approved by the County Engineer, who may require any and all forms of background information to assist him in making his decision. Such plans shall be approved before any construction may begin on the Travel Trailer Park.

(5) Street Lighting: Adequate street lighting shall be provided as deemed necessary, and reviewed at the time the Special Use permit is considered.

(6) Off-Street Parking: Off-street parking shall be provided in the Park for the use of Park residents and guests. In Travel Trailer Parks, one (1) vehicle parking space shall be provided for each site and one (1) additional for every three (3) travel trailer spaces, the same for every tent space (if applicable).

(7) Spaces: Individual lots or spaces shall be so arranged that there will be at least a fifteen (15) foot clearance between travel trailers. No permanent structures, such as porches, canopies, or other additions shall be built onto any travel trailer. No travel trailer shall be located closer than fifty (50) feet from the front property line (or right-of-way), nor

closer than twenty (20) feet from any internal street or roadway surface, nor closer than twenty-five (25) feet from any side or rear property line, nor closer than five (5) feet from any interior lot line.

(8) Building and Other Improvements: Plans and specifications of all Park-owned buildings and other improvements, including sewage, gas, electric and water supply, roadways and sanitary facilities constructed or to be constructed within the Park shall comply with applicable laws of the State of Iowa and with applicable Chapters of this Code.

Buildings and structures shall be limited to one (1) "convenience shopping" store, the residence of the owner/operator, utility and recreation buildings, and accessory buildings and structures for maintenance of the Park. The applicant shall provide for an Iowa State Registered Professional Engineer to design the sanitary sewer and water systems and certify their installation according to the plans. The Engineer will inspect the installation of the sewer and water systems and show proof thereof.

(9) Ownership of Park: The Park owner may not sell or transfer title of any lot or space in such Park. In the event of any such transfer, the Special Use Permit of the Park shall be automatically revoked, and all travel trailers shall be removed from the premises within thirty (30) days of written notice to do so from the Zoning Administrator. It is the intention hereof that such Parks may be transferred in their entirety, as long as the new Park owner agrees to comply with the Special Use permit.

(10) Occupancy: The Park may not be occupied until the sewer and water supply have been approved by the County Board of Health or the Iowa Department of Natural Resources (if applicable) and lighting, electricity, and natural gas (if applicable) have been installed and are operational. The internal roadways leading to the lot or space must be constructed. Once the utilities are in place, the Zoning Administrator will do an on-site inspection and provide a Certificate of Compliance for the Park or a phase of the Park.

(11) Changes in the Layout of the Park: Any substantial changes in the Park which would change lot sizes, numbers, recreation areas, or street patterns first must be approved by the Zoning Administrator. Any new additions to the Park require the applicant to file for an amended Special Use permit with the Zoning Board of Adjustment, following the same procedures established in this Ordinance.

(12) Failure to Construct Park: A Special Use permit issued by the Zoning Board of Adjustment for such a Park shall become null and void if no substantial development has been completed one (1) year after the granting of such permit. This period may be extended only upon review and written approval of the Zoning Administrator.

(13) Park Vacation: If a Travel Trailer Park is vacated for more than one (1) year, the Special Use permit shall become null and void.

6-27. OFF STREET VEHICULAR PARKING REQUIREMENTS

A. Off street parking required: All new construction, re-development or change of use of property subject to the requirements of Section 6-29 Site Plan Review shall be required to provide off street parking and circulation areas in accordance with the requirements set forth as follows:

(1) Off street parking spaces shall be provided using the following guidelines:

(a) Single and two family dwellings 3 per unit

(b) Townhouses and Apartments 2 per unit

(c) Senior Residential facilities 1 per unit

(d) Churches and assembly facilities 1 per every 3 persons of occupancy load

(e) General Commercial Uses 1 per every 500 sq ft gross floor area

(f) Outdoor Recreational facilities 1 per every 3 persons of design capacity

(g) Retail Sales under 5, 000 sq ft 1 per every 500 sq ft gross floor area
Floor area

(h) Retail Sales over 5,000 sq ft 1 per every 750 sq ft gross floor area
Floor area

(i) Office Uses 1 per every 500 sq ft gross floor area

(j) Restaurants and on premise 1 per every 250 sq ft gross floor area
Liquor sales

(k) Industrial Uses 1 per every 750 sq ft gross floor area

(l) Warehousing 1 per every 1,000 sq ft gross floor area

(m) Other Uses not specifically 1 per every 3 persons of occupancy load
Identified

(2) Additional parking and circulation areas: All areas used for parking and circulation in excess of the above minimum required shall be constructed in accordance with the requirements of these regulations.

(3) Accessible parking spaces required: Accessible parking spaces shall be provided in accordance with the requirements of the current edition of the American with Disabilities Act Accessibility Guidelines

(4) Construction and design standards: Parking and circulation areas shall be designed and constructed in accordance with the Iowa Statewide Urban Design and Specifications (SUDAS) Chapter 12 Parking Lots Sections 1-6.

(5) Completion or surety required: Prior to the issuance of Certificate of Occupancy all improvements required in accordance with this section must be completed or a performance bond be posted in an amount equal to 125% of the cost estimate of the required improvements to assure completion of the improvements within one (1) year of occupancy..

B. Storm water management: Stormwater runoff from parking and circulation areas shall be controlled in a manner approved by the County Engineer and designed and constructed in accordance with the Iowa Statewide Urban Design and Specifications (SUDAS) Chapter 12 Parking Lots Sections 1-6. Stormwater detention facilities sufficient to capture the runoff of a one hundred (100) year storm shall be placed on the property. The release rate of storm water out of the detention facility shall be restricted so as not to exceed the volume produced by a five (5) year storm when measured at the pre-developed flow rates. The velocity of the water leaving the property shall be reduced so as not to cause erosion. A drainage easement is required where storm water from a property crosses an adjacent property to reach a natural stream or public drainage facility. Enclosed storm sewers require County Engineer approval. If an acceptable pervious paving system is used the requirement to provide onsite stormwater detention can be eliminated.

C. Exceptions: Any exceptions or modifications to the requirements of the parking regulations shall be reviewed using the criteria established for the review of a Special Use permit by making application to the Zoning Board of Adjustment under the procedures and criteria of Section 6-30 C (2) Special Permitted Uses.

6-28. SIGN AND BILLBOARD REGULATIONS

A. General Intent: It is the intent of Scott County to establish effective sign regulation which recognizes public, as well as, private interests and investments in our environment; while regulating the number, size and location of signs; relating signs to the individual use, site and structure; prohibiting unsafe signs; causing the removal of abandoned and nonconforming signs; and to promote and protect the health, safety, welfare, aesthetics, convenience and enjoyment of the residents and visitors of Scott County.

It is also the intent of this Title to promote more effective and equitable sign placement and design compatible with the surroundings and appropriate to the type of activity to which the sign pertains; to encourage greater consideration of influencing factors and thoughtful design of signs; to promote economic and business development; to protect property values; to not disrupt agricultural operations or take agricultural operations out of production; reduce distractions and obstructions which may contribute to traffic hazards and/or accidents; and to enhance and protect the agricultural land, physical appearance and natural beauty of Scott County.

B. Regulation of All Signs: The regulations contained in this Section shall apply to and regulate signs in all Districts. No sign shall be located, erected, or maintained except in compliance with these regulations. Signs, identified in this Section as requiring a permit, shall obtain a building permit and zoning approval prior to construction. Existing signs which currently conform with the zoning ordinance may continue as is, even if it is

rendered non-conforming by these new regulations. If existing signs are replaced, enlarged, or significantly altered so as not to comply with the general intent of this Section, the proposed sign shall obtain a building permit and conform with these regulations.

(1) Exemptions: Official traffic or directional signs, warning signs, address signs, information or identification signs erected and maintained by the state, county or any city; subdivision identification signs, historic site markers or plaques and any other sign required or approved by a governmental body are not subject to this Ordinance and do not require a building permit.

(2) Signs Prohibited: No sign other than an official traffic sign shall be placed or encroach into the public or private road right-of-way. No sign shall be erected where it may constitute a traffic hazard by obstructing the vision of drivers or pedestrians, by interfering with any traffic control device, or which may be confused with an official traffic control device by reason of its size, shape, design, or location, content, coloring, or manner of illumination.

(3) Signs at Intersections: Signs located within one hundred (100) feet of a public or private road intersection shall be erected and maintained so that there is an unobscured visual sight area for vehicle operators or pedestrians. The unobscured area, at a minimum, shall extend from a distance of three-and-one-half (3-1/2) feet to fifteen (15) feet above the traveled portion of the roadway. See Section 6-6.T. "Visual Clearance" for additional restrictions.

(4) On Premise Wall Signs: All signs affixed to the walls, facia, windows or doors of the principal building on the property shall not require a building permit, but shall be limited to no more than 25 per cent coverage per building side. Signage drawn or painted directly on a wall or building surface is permitted, and subject to the 25 per cent coverage requirement per building side.

(5) On Premise Roof Signs: Roof signs are permitted in all Districts, except any residential district. Roof signs shall not project more than six (6) feet beyond the roof line of the building, and may not exceed the District height limit established for principal structures. The width of any roof sign shall not project out beyond any wall or side of the building on which it is placed. A roof sign may project or cantilever by no more than six (6) feet over the plane of the building wall or side which it faces; and in such cases an engineered design shall accompany the building permit. Roof signs require a building permit but shall not be included in the cumulative total area of on premise accessory signage permitted.

(6) On Premise Accessory Signs: A free-standing pedestal, ground, monument, or other detached sign which directs attention to an establishment, business, profession, commodity, service, premises, person or thing which is located, produced, conducted, sold, or offered on the same lot upon which the sign is located. The cumulative total of all detached accessory signs on a property shall not exceed 500 square feet of sign area, including all sides of sign faces, with no single sign face exceeding 250 square feet

(7) Accessory Sign Size and Location Restrictions: In permitted districts, an accessory sign shall not exceed 250 square feet of total surface area per side, if set back at least twenty-five (25) feet from the closest portion of the sign face and the front property line or the distance from the front property line to the principal structure, whichever is less.

The front yard setback for free-standing accessory signs may be reduced five (5) feet for every twenty (20) percent reduction from the overall permitted sign area. In no event shall the front yard setback be less than five (5) feet. The total sign area per side shall be limited to two (2) square feet of sign area for every one (1) linear foot of lot frontage, maximum 250 square feet per face, for a free-standing accessory sign. Permitted free-standing accessory sign area is cumulative and the sum total of all detached accessory signs on a property shall not exceed 500 ft² of sign area, including all sides of sign faces, [with no more than 250 square feet of total surface area per side allowed per lot]. There shall be no side yard setback requirements for accessory signs, except on the side of the lot adjoining an "R" District, private residence, school, or church. In that case, the sign may not face the "R" District or land use, unless the sign is ten (10) square feet in surface area or less and not illuminated. For each foot in from the side yard in which the sign is located, the surface area may increase ten (10) percent. At fifty (50) foot side yard setback, the sign may be at the maximum size allowed and illuminated.

(8) Off-Premise signs (Billboards): Billboards are allowed in "CAD-PV" "C-1", "C-2", "I", and "I-F" Districts, if they meet the following restrictions: Maximum billboard area shall be 800 square feet of total surface area per side. Minimum front yard setback from the closest portion of the sign face to the road right of way or easement is fifty (50) feet. However, the front yard setback may be reduced ten (10) feet for every twenty (20) percent reduction in the permitted billboard area. In no case will the front yard setback be less than ten (10) feet. The minimum spacing between billboard structures shall be five hundred (500) feet, except that a billboard structure may have faces on opposite sides of the structure if only one face can be seen at one time. The maximum height of the billboard, including extensions, is forty-five (45) feet. There shall be no side yard setback requirements for billboards, except on the side of the lot adjoining an "R" District, private residence, school, or church. In that case, the billboard may not be located closer than three hundred (300) feet from the existing building used for residential, religious, or educational uses.

(9) Iowa Department of Transportation (IDOT) Approval: Any proposed sign or billboard along a State or Federal highway must be approved by IDOT along with compliance with the regulations of the Zoning Ordinance.

(10) Electronic message signs and lighted signs: On premise accessory signs shall be limited to no more than 50% of the sign face being used for display of electronic lighted messages. An on premise accessory sign may be entirely constructed as an electronic message sign, but in such a case the sign is limited to no more than 125 square feet of total surface area per side and only one fully electronic message sign may be installed per lot. Such displays shall be limited to scrolled messages or static display with frame effects that dissolve or fade in transition. Full animation, flashing or video display signs are not permitted. Off premise signs (billboards) may have 100% of the sign face being used for display of electronic lighted messages. Such displays shall be limited to static display with frame effects that hold for a minimum of eight seconds and cut to transition to next frame within one second. Full animation, flashing or video display signs are not permitted.

(11) Temporary Signs: Temporary signs are allowed in all zoning districts, and are signs which are temporary in nature due to their inherent design and placement. "Temporary"

is considered to be a period of time not to exceed 180 days. Temporary signs may be constructed out of materials such as cardboard, foam core, plastic or plywood, and lack a permanent foundation or footing design, and structural frame. Temporary signs may refer to temporary events, products, and/or services. Some signs may depict ideas or subject matters not inherently temporary, but such signage is nonetheless subject to temporary signage regulations if not permitted as an on premise or off premise advertising sign and/or if its design and placement is temporary in nature. Temporary signs cannot be electronic message signs, and they must be unlit and have no moving parts. As defined, temporary signs are permitted for no longer than 180 days.

Temporary signs shall not be placed or encroach into the public or private road right-of-way, shall not exceed six (6) feet in height, and shall not exceed 25 square feet of total surface area per side. Multiple temporary signs per lot are allowed; if multiple signs are sited on a single lot, the cumulative allowable sign area is 25 square feet including all sides of sign faces.

(12) Permit required: A sign permit is required prior to the installation of any on premise accessory pedestal, ground or roof sign and any off premise sign or billboard. The sign permit fee shall be determined in accordance with the fee schedule of the Scott County International Construction Code.

(13) Future Signs Not in Compliance: Effective at the adoption of this Ordinance, any new sign or billboard erected in unincorporated Scott County without a building permit and in violation of the Zoning Ordinance shall be given thirty (30) days to remove the sign or billboard, or to apply for a variance from the Board of Adjustment. If the property owner does submit a variance application to the Zoning Administrator within the thirty (30) days, or if the Board of Adjustment denies the variance application, the property owner shall remove said sign within seven (7) days of notice of receipt of violation from the Zoning Administrator.

C. Illumination Standards: All proposals for electronic and lighted signs require review and approval of the Zoning Administrator. Such proposals shall include site plan, a sketch of the sign and adjoining areas which may be affected by the sign. All lighting shall be directed away from adjacent residential land uses and roadways, in order to avoid glare upon adjacent properties and vehicular traffic. The applicant may appeal any decision of the Zoning Administrator to the Board of Adjustment.

(1) Signs utilizing external lighting must be located so that light does not extended beyond the illuminated sign face and create light spillage onto adjacent properties, residences, and rights-of-way.

6-29. SITE PLAN REVIEW

A. Purpose: In accordance with the Comprehensive Plan of Scott County, it is essential that new developments and substantial improvements to existing developments or the change in use or re-occupancy of existing developments meet established minimum standards for the design and improvement of such developments, to insure adequate provisions for public/private utilities; such as sewer, water, and roads, and to promote the health, safety, and general welfare of the public.

B. Application: Prior to issuance of building permit for any new development, substantial improvement to any existing development, change in use of any existing development or the re-occupancy of a building that has been vacant for one (1) year or greater, approval of a Site Plan Review by the Planning and Zoning Commission is required. A

site plan review is required whenever a person, firm, corporation or other group wishes to develop, re-develop, or re-occupy a tract of land for multi-family dwelling units, commercial, office, institutional, or industrial use. If the proposed use is a principal permitted use within that Zoning District, the Planning and Zoning Commission will review the site plan. For special permitted uses, the site plan will be reviewed by the Commission and the Special Use permit will be reviewed by the Zoning Board of Adjustment.

C. Procedure: The developer shall submit a letter of application and 10 copies of the site plan to the Zoning Administrator, who will determine if all necessary information is provided for review. Once all the required information is received, the Zoning Administrator shall forward copies of the Site Plan to the County Engineer and the County Health Officer for their review and recommendation. A copy of the Site Plan shall also be sent to all adjoining property owners. The Zoning Administrator will schedule a review by the Planning and Zoning Commission at the next regular meeting beyond fifteen (15) days of official receipt.

(1) The Planning and Zoning Commission shall review the Site Plan proposal at said meetings and receive a site report from the County Engineer, the County Health Officer, the Zoning Administrator and receive comments from the public. The Commission shall make its determination of conditions for approval of the site plan within thirty-five (35) days of the first meeting. If no action is forth coming within the thirty-five (35) days, the site plan shall be deemed approved and a building permit may be issued.

(2) The developer may appeal the conditions of the Planning and Zoning Commission placed on the proposed development by notifying in writing the Board of Supervisors. Such appeal shall be made within thirty (30) days of the Commission's decision and shall specify what relief is requested of the Board of Supervisors. The Board shall hear said appeal at a committee of the whole meeting within fifteen (15) days and act upon the appeal at a regular Board meeting within thirty (30) days of appeal receipt.

(3) A building permit may only be issued after Planning and Zoning Commission approval or decision of the Board of Supervisors on appeal.

D. Site Plan Review Standards: The standards of site design listed below are intended only as minimum requirements, so that the general development pattern in rural Scott County may be adjusted to a wide variety of circumstances and topography, and to insure reasonable and orderly growth in rural Scott County.

(1) All proposed developments shall conform to the Land Use Policies of the 2008 Comprehensive Plan of Scott County, as amended; the Scott County Zoning and Subdivision Ordinances standards and procedures, where applicable; such other County ordinances as may pertain to such developments; and any applicable administrative rules of the Iowa Department of Transportation, Iowa Department of Health, Iowa Department of Natural Resources, and other agencies of the State of Iowa.

(2) All parking shall be provided in accordance with the provisions of Section 6-23 Vehicular Parking and Loading Provisions. Prior to issuance of a building permit a performance bond shall be posted with the Scott County Planning and Development Department to secure all required parking and circulation area improvements in accordance with the requirements of the County Engineer.

(3) The proposed development shall be designed with appropriate regard for topography, surface drainage, natural drainage ways and streams, wooded areas, and

other naturally sensitive areas which lend themselves to protection from degradation. Applicant may be required to submit engineering studies and plans to state how the applicant will protect the sensitive environment at applicant's expense. A soil erosion control plan is required if more than one (1) acre of land is proposed to be disturbed during construction.

(4) The proposed development shall be designed with adequate water supply and sewage treatment facilities and storm water drains and structures necessary to protect the public health and welfare by not overloading existing public utilities. Runoff from development shall not be outletted into roadside drainage facilities in excess of the existing runoff prior to development. Applicant may be required to submit engineering plans to show how the applicant will manage storm water runoff to a 25-year rainstorm.

(5) The proposed development shall be designed, and the buildings and improvement shall be located within the tract or parcel in such a manner as not to unduly diminish or impair the use and enjoyment of adjoining or surrounding property. And to such end, the developer shall provide for such fences, landscaping and other improvements as are deemed proper and necessary to buffer the proposed use from the existing or surrounding land uses. A landscaping plan plus the agreement to implement the plan is required for any building exceeding 10,000 square feet. Applicant may be required to submit a plan drawn up by a landscaping firm or nursery.

(6) The proposed development shall be designed not to unduly increase the public danger of fire, explosion, and other safety hazards on the general public and the persons residing or working in adjoining or surrounding property.

E. Information on Site Plan: The purpose of the Site Plan is to show the facts needed to enable the Planning and Zoning Commission to determine whether the proposed development meets the requirements of this Ordinance and complies with the standards listed in paragraph D above.

(1) Location map showing relationship to surrounding roads, streams, and public facilities.

(2) Scale of Site Plan shall not be more than one (1) inch to equal fifty (50) feet. Scale shall be shown in legend.

(3) Name and address of land owner and developer.

(4) Date, north marker, name of proposed development.

(5) Existing buildings, utilities, railroads, rights-of-way, easements, location, and name of existing roads, stands of trees, and drainage ways.

(6) Location and name of adjoining subdivisions, subdivision lots therein, and names of the adjoining landowners.

(7) Existing and proposed contour lines at intervals of two (2) feet, with a minimum of two (2) contours.

(8) Zoning district classification; type of water supply and sewage disposal and storm water management.

(9) Other information as deemed necessary to describe how the standards in paragraph D above will be satisfied.

(10) Proposed location of buildings, access to parking lots, traffic flows, changes in ground-elevation, landscaping to be removed and added, signs, lights, waste bins, outdoor storage areas, loading areas, fences/walls, etc.

F. Fees: When the site plan materials are submitted, the owner/developer shall pay a fee based on the fee schedule approved by the Board of Supervisors.

6-30. ZONING BOARD OF ADJUSTMENT PROCEDURES

A. Membership: A Zoning Board of Adjustment, hereafter referred to in this Section by the word "Board", is hereby established. Such Board shall consist of five (5) members, a majority of whom shall reside within the County, but outside the corporate limits of any city, appointed by the Board of Supervisors. The five (5) members of the Board shall be the same Board members as existed under the previous zoning ordinance. Said Board shall serve out their unexpired terms and are eligible for re-appointment. Terms shall be for five (5) years, and vacancies shall be filled for the unexpired term of any member whose position becomes vacant. The Board of Supervisors shall have the power to remove any member of the Board for cause upon written charges and after a public hearing.

B. Rules - Meetings: The Board shall adopt rules in accordance with the provisions of this Ordinance and the Iowa Code. The Board shall elect its own chairman at the first meeting of the calendar year, who shall serve for the calendar year. Meetings will be established by the rules and shall be open to the public. The chair, or in the chair's absence, the vice chair, shall conduct the meetings. Three (3) members present shall constitute a quorum. The Board shall keep minutes of the proceedings showing the vote of each member upon each question, and all such material and related upon each question, and all such material and related documents shall be immediately filed in the Department of Planning and Development and shall be a public record.

C. Powers, Duties and Considerations: The Board shall have the following powers and it shall be its duty:

(1) To hear and decide appeals of interpretation where it is alleged there is an error in any order, requirement, decision, or determination made by the Zoning Administrator in the enforcement of this Ordinance or of any supplement or amendment.

(a) Appeals of interpretation may be taken by any person, or by an officer, department, board or commission of the County aggrieved by such interpretation. Once notified in writing of the decision and its justification, the aggrieved party has fifteen (15) days to appeal to the Board by filing an appeal in writing with the Department of Planning and Development. Said appeal shall specify the grounds for appeal. The Zoning Administrator shall forward the appeal and all related papers which constitute the record upon which the appeal was taken to the Board of Adjustment.

(b) Appeals to interpretation may relate to Zoning District boundary line location, the use of the building or premises, the applicability of zoning standards to the specific site, and other similar matters.

(2) To hear and decide an application for Special Permitted Uses as provided for the Zoning Districts for this Ordinance.

(a) Applications for Special Permitted Uses shall be submitted to the Board through the Department of Planning and Development on the application form provided. The applicant will provide a site plan as prescribed in Section 6-25 and a written explanation of the proposed special use which describes when it would be started and completed, how it will operate, how it will satisfy a need for such a use in that particular location. The Zoning Administrator shall forward the application and all related papers to the Board for their review decisions.

(b) Before the issuance of a special 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 any 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.

(c) 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 Ordinance, and to adhere to the Land Use Policies of the 2008 Comprehensive Plan, as amended.

(3) To authorize, upon appeal, such variance(s) from the terms of this Ordinance where because of the unusual circumstances, a literal enforcement of the provisions of this Ordinance will result in unnecessary hardship, and so that the spirit of the Ordinance be observed and substantial justice done.

(a) Appeals for a variance may be made by the landowner, potential buyer or developer, or operator/manager of land, who has applied for a building permit and been denied because the proposed development does not comply with the specific regulations of this Ordinance. The same appeals process is required for previously constructed structures which were built in violation of this Ordinance. Applicant has fifteen (15) days from building permit denial to appeal to the Board by completing the appeal form in the Department of Planning and Development. Said appeal should state the specific variance requested and the

reasons for which the appeal should be granted. The Zoning Administrator shall forward the appeal and all related papers which constitute the record upon which this appeal was taken to the Board of Adjustment.

(b) Before deciding on the variance appeal, the Board will hold a public hearing and shall determine if one of the two following conditions has occurred:

i. When because of an exceptional situation, topographical condition, surroundings, size, shape or other condition of a specific piece of property of record, the strict application of any provision of this Ordinance would result in peculiar and exceptional practical difficulties or particular hardship upon the owner of such property and amount to a practical confiscation, the Board may vary the application of the regulations imposed by this Ordinance subject to the restrictions in the following paragraphs.

ii. When the applicant for a variance can show that the hardship is a compelling force and not a perceived one, the hardship was created by this Ordinance and not the applicant, and the strict application of the Ordinance precludes its use for any purpose to which the land is reasonably adapted.

(4) To hear and decide variances to Sections 6-21, 6-22, 6-23, and 6-24 concerning the flood plain districts, variances granted must meet the following applicable standards.

(a) No variance shall be granted for any development within the Floodway District which would result in any increase in the 100-year flood level. Consideration of the effects of any development on flood levels shall be based upon the assumption that an equal degree of development would be allowed for similarly situated lands.

(b) Variances shall only be granted upon (i) a showing of good and sufficient cause, (ii) a determination that failure to grant the variance would result in exceptional hardship to

the applicant, and (iii) a determination that the granting of the variance will not result in increased flood heights, additional threats to public safety, or extraordinary public expense; create nuisances, or cause fraud on or victimization of the public.

(c) Variances shall only be granted upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.

(d) In cases where the variance involves a lower level of flood protection for buildings than what is ordinarily required by this Ordinance, the applicant shall be notified in writing over the signature of the Zoning Administrator that (i) the insurance of a variance will result in increased premium rates for flood insurance up to amounts as high as \$25 per \$100 of insurance coverage and (ii) such construction increases risks to life and property.

(e) All variances granted shall have the concurrence or approval of the Iowa Department of Natural Resources.

(f) In passing upon requests for Flood Plain Variances, the Board shall consider all relevant factors specified in other sections of this Ordinance and:

i. The danger to life and property due to increased flood heights or velocities caused by encroachments.

ii. The danger that materials may be swept on to other lands or downstream to the injury of others.

iii. The proposed water supply and sanitation systems and the ability of these systems to prevent disease, contamination and unsanitary conditions.

iv. The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner.

v. The importance of the services provided by the proposed facility to the community.

vi. The requirements of the facility for a flood plain location.

vii. The availability of alternative locations not subject to flooding for the proposed use.

viii. The compatibility of the proposed use with existing development and development anticipated in the foreseeable future.

ix. The relationship of the proposed use to the comprehensive plan and flood plain management program for the area.

x. The safety of access to the property in times of flood for ordinary and emergency vehicles.

xi. The expected heights, velocity, duration, rate of rise and sediment transport of the floodwater expected at the site.

xii. Such other factors which are relevant to the purpose of this ordinance.

D. Conditions for Granting Variances: No variation in the application for the provisions of this Ordinance shall be made in the instances specified above unless and until the Board shall be satisfied that granting the variance will not:

(1) Merely serve as a convenience to the applicant and is necessary to alleviate demonstrable hardship or difficulty so great as to warrant the variance.

(2) Impair the general purpose and intent of the Development Plan as established by the regulations and provisions contained in this Ordinance.

(3) Impair an adequate supply of light and air to adjacent property.

(4) Increase the hazard from fire and other danger to said property.

(5) Diminish the value of land and buildings elsewhere in the County.

(6) Increase the congestion and traffic hazards on public roads.

(7) Otherwise impair the public health, safety, and general welfare of inhabitants of the County.

E. Conditions to be Placed on the Granting of Flood Plain Variances: Upon consideration of the factors listed in C.(4) above, the Board may attach such conditions to the granting of flood plain variances as it deems necessary to further the purpose of this ordinance. Such conditions may include, but not necessarily be limited to:

(1) Modification of waste disposal and water supply facilities.

(2) Limitation on periods of use and operation.

(3) Imposition of operational controls, sureties, and deed restrictions.

(4) Requirements for construction of channel modification, dikes, levees, and other protective measures, provided such are approved by the Department of Natural Resources and are deemed the only practical alternative to achieving the purposes of this ordinance.

(5) Floodproofing measures. Floodproofing measures shall be designed consistent with the flood protection elevation for the particular area, flood velocities, durations, rate of rise, hydrostatic and hydrodynamic forces, and other factors associated with the regulatory flood. The Board of Adjustment shall require that the applicant submit a plan or document certified by a registered professional engineer that the floodproofing measures are consistent with the regulatory flood protection elevation and associated flood factors for the particular area.

F. General Procedures: A person, firm, or corporation may apply for a variance, special permitted use, or appeal of interpretation to this Ordinance for a particular parcel of land within Scott County by filing an appeal with the Zoning Administrator. The applicant(s) may be the landowner, the current or prospective tenant, lessee, or operator of the property, if applicable. If the applicant is not the landowner, the landowner must co-sign the application. Cases must be filed a minimum of ten (10) days prior to the Board meeting.

(1) The Zoning Administrator will prepare notice of the public hearing stating the location of the property and a brief description of the nature of the application, and the time and place of the public hearing in the following manner.

(a) Notify all owners of property located within five hundred (500) feet in all directions from the property in question by common mail at least five (5) days prior to the Board meeting.

(b) Prominently display an informational sign on the applicant's site.

(c) Notify the County Engineer and County Health Officer and allow them time to reply, if applicable.

(2) At the public hearing, any person may appear and testify either in person or by duly authorized person or attorney, or in writing received by noon of the meeting day. For all appeals and applications, the burden of proof rests with the applicant.

(3) Voting: In exercising the powers of subsection C above, the Board may reverse, affirm, or modify the request, in whole or in part. The concurring vote of three (3) members of the Board shall be necessary to approve an application for a variance or special use permit or reverse the Zoning Administrator's interpretation.

The Board's decision shall affect the property described in the application and does not terminate with the change of ownership unless specifically stated in the Board's decision. As long as subsequent owners continue to use the building or property as stipulated in the Board's decision, additional review or application is not necessary.

Every decision of a Board case will result in a written decision which specifies the reasons for granting or denying an appeal or application or stipulates the conditions upon which a variance or special permitted use is approved (if applicable).

(4) Notification of Board's Decision: The Zoning Administrator shall notify the applicant by written letter of the official decision of the Board within fifteen (15) days of decision.

(5) Right to Appeal Decision: Any person or persons jointly or separately aggrieved by any decision of the Board under the provisions of this Ordinance, or any taxpayer, or any officer, department, board, or commission of the County may present to District Court a petition, duly verified, setting forth that such decision is illegal or in error, in whole or in part, specifying the grounds of illegality or error. Such petition shall be presented to the Court within thirty (30) days after the decision by the Board.

(6) Variations of Flood Plain Elevation Requirements: All variances granted in the designated flood plain shall have the concurrence or approval of the Iowa Department of Natural Resources. The Zoning Administrator shall notify the applicant that the issuance of a variance to locate a structure at an elevation below the 100-year flood level will result in increased premium rates for flood insurance coverage, up to amounts as high as twenty-five dollars (\$25) for one hundred dollars (\$100) insurance coverage, and that such construction below the base flood increases risks to life and property. Such notification shall be maintained with a record of all variance actions.

(7) Filing Fee: All applications shall pay a fee based on the fee schedule approved by the Board of Supervisors.

(8) Time Limit on Board Decision: If the property granted a variance or special use permit is not developed as allowed within two (2) years of Board action, the Board may, after seven (7) days' notice in writing to the landowner, initiate action to rescind the variance or special use permit granted. This can occur only after a public hearing before the Board at a regular meeting.

6-31. ZONING AMENDMENT PROCEDURES

A. General Authority: The Board of Supervisors may from time to time, on its own action or on petition from the Planning and Zoning Commission or an individual or group, after public notice and hearings as provided by law, and after report by the County Planning and Zoning

Commission, amend, supplement, or change the boundaries or regulations herein or subsequently established, and such amendment shall not become effective except by the favorable vote of a majority of all the members of the Board of Supervisors.

B. Procedure: A person, firm, or corporation or the Commission may initiate any zoning text or map amendment of this Ordinance by filing a request with the Zoning Administrator. A Zoning Map amendment by anyone other than the Commission requires a signed petition by the owners of at least fifty (50) percent of the area of all the real estate included within the boundaries of the area to be rezoned. Said petition shall contain a legal description of the real estate for which rezoning is requested, the existing zoning classifications and the requested zoning classification, and a statement of intended use and how such use complies with the Land Use Policies of the 2008 Comprehensive Plan of Scott County, as amended; and the Scott County Zoning Ordinance standards and procedures, as deemed applicable. Also, the applicant shall provide thirteen (13) copies of a site plan or plat. Rezoning filing fees will be charged for the two stages based on the fee schedule approved by the Board of Supervisors.

(1) The Zoning Administrator, upon receipt of all required material, shall establish a rezoning public hearing date at least eighteen (18) days and not more than thirty (30) days from date of filing before the Planning and Zoning Commission. The notice of said rezoning shall be conspicuously posted on the land for which the rezoning is requested and notice mailed to landowners of record within five hundred (500) feet of said property.

(2) Upon receipt of any petition to amend the Zoning Ordinance, the Zoning Administrator shall forward a copy of the petition and a Site Plan to the County Engineer; the County Board of Health; the SCS District Conservationist; the Bi-State Metropolitan Planning Commission; and to the planning staff of the city (if located within two (2) miles of a city with a zoning ordinance). The materials will be submitted to each department with a request to review and comment in writing prior to the Planning and Zoning Commission holding its public hearing.

(3) The Commission, after the public hearing, shall act within thirty (30) days to recommend approval or disapproval to the Board of Supervisors. Once the recommendation is made, the applicant has seven (7) days to submit the Board of Supervisors public hearing filing fee. If received, the Zoning Administrator shall forward the petition to the Board of Supervisors to be on a Board meeting agenda within thirty (30) days of receipt. If the filing fee is not received within seven (7) days, the Zoning Administrator shall notify the applicant by common mail that the rezoning process has been terminated.

(4) The Board of Supervisors shall receive the recommendation of the Commission and review it prior to a public hearing. The Zoning Administrator shall publish public notice in an official County newspaper, at least four (4) days and not more than twenty (20) days prior to the public hearing, and to re-notify all property owners of record within five hundred (500) feet of the property for which the rezoning is requested.

(5) At the public hearing, the Board will hear the applicant's request, the Commission's recommendation, and comments from the public concerning the zoning text or map amendment. The Board may hold the first reading after the public hearing or delay any action until the next regular meeting. A second reading and publication in conformance with State law is required before the text or map amendment is effective.

(6) In case the proposed amendment or rezoning is disapproved by the Planning and Zoning Commission, or a protest be presented, duly signed by the owners of twenty (20) percent or more, either of the area included in such proposed change, or of the area immediately adjacent thereto and within five hundred (500) feet of the boundaries thereof, such rezoning shall not become effective unless four (4) members of the Board of Supervisors cast a favorable vote.

(7) If the property is rezoned, and the property is not developed for eligible uses in whole or in part within two (2) years from such rezoning, or unless there exists an unexpired building permit for the development thereof at the end of such two (2) years, the Planning and Zoning Commission, may notify the current owner(s) of the area rezoned the Commission will initiate action to rezone the property to its previous zoning classification following these established procedures.

6-32. COMMUNITY AREA DEVELOPMENT ADMINISTRATION

A. General Intent: This Ordinance recognizes the two Community Area Developments (CAD's) created by an earlier edition of the Zoning Ordinance, Village Oaks and Park

View. The plans which were approved in conformance with Section 29 of the 1951 Scott County Zoning Ordinance with amendments remain in effect. This section describes the procedures for amending a CAD, but does not permit the creation of any new community area developments in Scott County.

B. Scope: Park View Development, located in portions of Sections 30 and 31, Butler Township; and Village Oaks Development, located in a portion of Section 18, Buffalo Township; are conforming CAD's in unincorporated Scott County.

C. Plans Recognized as Basis for Future Development: All undeveloped portions of the two CAD's shall be developed in accordance with plats, restrictive covenants, and the Statement in Support on file in the Department of Planning and Development. Village Oaks will develop according to the recorded subdivision plats. Park View will develop according to the colored development plan approved by the County in 1966 and as amended in accordance with the procedures established in the Revised Zoning Ordinance adopted April 2, 1981.

D. Zoning District Regulations applicable to approved CAD Areas: This ordinance has two zoning districts applicable to these two existing CAD Areas. "CAD-R" Community Area Development Residential District applies to the residential areas of both Village Oaks and Park View, "CAD-PVC" Community Area Development Park View Commercial District only applies to the commercial areas of Park View.

E. Procedure for Amending the CAD Plans: The Commission, developer, or the owners of at least fifty percent (50%) of the area to be changed may file a request with the Zoning Administrator. The request shall contain a legal description of the real estate to be amended, a plat showing the existing plan and the requested change in land use, and a statement of how the proposed use complies with the Scott County Comprehensive Plan and the adopted Land Use Policies. If several land owners are filing the request, they must submit a signed petition stating their address and the amount of land they own.

(1) The Zoning Administrator, upon receipt of all required material, shall establish a public hearing date at least eighteen (18) days and not more than thirty (30) days from date of receipt before the Planning and Zoning Commission. The notice of the proposed development plan change shall be conspicuously posted on the land affected by the proposed change and notices mailed to the appropriate Homeowners Association and landowners of record within five hundred (500) feet of said property.

(2) The Zoning Administrator shall forward a copy of the application and development proposal to the County Engineer and the County Board of Health for their review and comments prior to the public hearing.

(3) The Commission will hold the public hearing on the date published and will consider comments from the applicant, neighboring property owners, County departments, and the general public. The Commission shall act within thirty (30) days of public hearing to recommend approval or disapproval of the application to the Board of Supervisors.

(4) The Board of Supervisors shall receive the recommendation and hold a public hearing on the earliest regular meeting date after public notice in the official County newspapers at least four (4) days and not more than twenty (20) days prior to the public hearing. All persons or businesses previously notified shall be renotified of this public hearing. The Board of Supervisors shall consider all information received at the public

hearing and then vote to approve or disapprove the proposed plan amendment by adopting a Resolution.

(5) The Resolution and all associate plats and agreements will be filed in the Planning and Development Department to carry out the amendment. The applicant will also file the plat and the Board's Resolution in the Recorder's office.

(6) As applicable, the developer will proceed with a subdivision review, in accordance with the Subdivision Ordinance and a Site Plan Review, in accordance with the Zoning Ordinance, Section 6-29.

6-33. ZONING ADMINISTRATOR DUTIES

A. The Board of Supervisors shall appoint a person to be the Zoning Administrator whose duties shall include the responsibility to administer and enforce this Ordinance. The Zoning Administrator may be provided with assistance of such other persons as the Board of Supervisors may direct.

B. Duties: The Zoning Administrator duties shall include but not be limited to:

(1) Reviewing all development proposals to insure compliance with the Zoning District in which the proposal is located,

(2) Processing all applications for variances, special use permits, and zoning text and map amendments to insure compliance with this Ordinance,

(3) Providing a staff report on all pending cases to the Board of Adjustment, Planning and Zoning Commission, and the Board of Supervisors,

(4) Insuring that proper procedures are followed for public notices, and that official decisions and minutes are kept of Board of Adjustment and Planning and Zoning Commission meetings,

(5) Reviewing applications for agricultural exemptions and providing a written determination to the applicant,

(6) Reviewing applications for Home Occupation and Home Industry permits and providing a written determination to the applicant, and

(7) Making determinations and taking appropriate action on zoning violations.

C. Notice of Writing: If the Zoning Administrator finds any provision of this Ordinance violated, the Zoning Administrator shall notify in writing, the person responsible for such violation, indicating the nature of the violation, what provision was violated, and ordering the action necessary to correct it. The Zoning Administrator shall order illegal use of land to discontinue; or shall take any other action authorized by this Ordinance to insure compliance with or to prevent violation of this Ordinance.

6-34. OCCUPANCY PERMITS

A. No land shall be occupied or used, and no building hereafter erected, or structurally altered, shall be occupied or used in whole or in part, for any purpose whatsoever, until a Certificate of Occupancy is issued by the Building Official. The Building Official shall not issue a Certificate of Occupancy until an inspection is made to insure that the building or part of the building meets the minimum standards of the Scott County International Construction Codes and the proposed use complies with the Zoning District on which the land and/or building is located.

B. The Building Official, upon the finding that a building hereafter erected or structurally altered is occupied or used in whole or in part without obtaining the Certificate of Occupancy, shall immediately notify in writing the occupants and builder (if applicable) or post the alleged violation prominently on said property or building and require

compliance with the Scott County Uniform Construction Codes and Zoning Ordinance within seven (7) days of receipt of notice. If compliance is not forthcoming within the seven (7) days following receipt, the building shall be deemed in violation of the Zoning Ordinance and shall immediately be vacated. Each day that a violation is permitted to exist shall constitute a separate offense.

6-35. MUNICIPAL INFRACTION

A. Any person, persons, firm, partnerships or corporations, whether acting alone or in concert with any other, who violates this ordinance shall be guilty of a municipal infraction and shall be penalized as set forth in Chapter 29 of the County Code of Scott County, Iowa.

B. Alternative to immediate legal actions: Within fourteen (14) days of receipt of written notice, the responsible party must either 1) eliminate the zoning violation(s), or 2) apply for a zoning change or variance which will correct the violation.

The Zoning Administrator may delay legal action against the responsible party (parties) if the violator files a request for an Agreement to Abate within fourteen (14) days of receipt of written notice of the violation. This provision is provided to allow additional, reasonable time to comply with the zoning regulations when costs, weather conditions or other unusual circumstances make compliance within fourteen (14) days extremely difficult or nearly impossible. The Planning and Zoning Commission will consider the request to enter into an Agreement to Abate at their next regular meeting.

C. Agreement to Abate Terms: The Planning and Zoning Commission will consider the request for an Agreement to Abate based upon the degree of difficulty faced by the responsible party (parties) in eliminating the zoning violation. The Agreement to Abate is a voluntary binding agreement which stipulates the violation(s), the expiration date of the special extended abatement period, and what must be done to achieve compliance with the zoning regulation(s). In voluntarily signing this agreement, the violator also agrees to waive the right to appeal the County's determination that a zoning violation exists, and consents and agrees that if the abatement is not eliminated in the extended abatement period, the County or its agents may enter the property and abate the violation. The violator agrees to pay all costs of abatement.

6-36. VALIDITY AND SEVERABILITY

Should any section or provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the Ordinance as a whole, or any part thereof other than the part so declared to be invalid.

Moved by Earnhardt, seconded by Holst that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) That the bids for the Administrative Center carpet replacement are hereby approved and awarded to Hollingsworth Floor Coverings in the amount of \$80,906.00. 2) This resolution shall take effect immediately.

Moved by Kinzer, seconded by Earnhardt that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) The hiring of Kareena Long for the position of Multi-Service Clerk in the Treasurer's Office at the entry level rate. 2) The hiring of Barbara Branscom for the position of Fleet Manager for the Secondary Roads and Administrator's office at a starting salary of \$65,000/year, along with accruing annual vacation at the rate of 80 hours annually, is hereby approved.

Moved by Kinzer, seconded by Earnhardt that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) That the proposal from Madison National Life for three year long term disability insurance coverage for staff is hereby accepted and approved. 2) That the Human Resources Director is hereby authorized to sign the long term disability contracts for services on behalf of the Board. 3) This resolution shall take effect immediately.

Moved by Holst, seconded by Kinzer that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) That the County Application for Substance Abuse Funding for State Reimbursement for the period of July 1, 2016 – June 30, 2017, is hereby approved. The application is to be submitted to the Iowa Department of Public Health requesting \$10,000 in state funds to match local substance abuse prevention funding. 2) That the Director of the Health Department is designated as the Board of Supervisors' Board Authorized Signatory within the IowaGrants.gov electronic grant management system and is authorized to sign the application and contract award. 3) That, if accepted, the Board approves receipt of such funding. 4) This resolution shall take effect immediately.

Moved by Holst, seconded by Sunderbruch that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) The second half of the 2014 property taxes due in March 2016 for Daniel Aromando, 1955 Tanglefoot Lane, Bettendorf, Iowa in the amount of \$1,085.00 including interest are hereby suspended. 2) The County Treasurer is hereby requested to suspend the collection of the above stated taxes thereby establishing a lien on said property as required by law with future collection to include statutory interest, if any. 3) This resolution shall take effect immediately.

Moved by Holst, seconded by Sunderbruch that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) The 2016 special assessments, receipt numbers 065987 and 060378 accrued for Cyrus Sarvestaney, 2114 Gaines Street, Davenport, Iowa, in the amount of \$79.60 and \$75.64 including interest are hereby suspended. 2) The County Treasurer is hereby directed to suspend the collection of the above stated special assessments thereby establishing a lien on said property as required by law with future

collection to include statutory interest, if any. 3) This resolution shall take effect immediately.

Moved by Holst, seconded by Kinzer that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) The second half of the 2014 property taxes due in March 2016 for Howard Swain, 3502 May Lane, Davenport, Iowa in the amount of \$567.00 including interest are hereby suspended. 2) The County Treasurer is hereby requested to suspend the collection of the above stated taxes thereby establishing a lien on said property as required by law with future collection to include statutory interest, if any. 3) This resolution shall take effect immediately.

Moved by Sunderbruch, seconded by Earnhardt a motion approving the list of 24-hour vehicle assignments submitted by Conservation, Secondary Roads and Planning & Development. All Ayes.

Moved by Sunderbruch, seconded by Holst a motion approving a beer/liquor license renewal for Argo General Store. All Ayes.

Moved by Sunderbruch, seconded by Holst that the following resolution be approved. Roll Call: All Ayes.

BE IT RESOLVED: 1) The Scott County Board of Supervisors approves for payment all warrants numbered 275699 through 275972 as submitted and prepared for payment by the County Auditor, in the total amount of \$868,042.22. 2) The Board of Supervisors approves for payment to Wells Fargo Bank all purchase card program transactions as submitted to the County Auditor for review in the amount of \$90,649.31. 3) This resolution shall take effect immediately.

Moved by Earnhardt, seconded by Kinzer a motion to adjourn. All Ayes.

Jim Hancock, Chair of the Board
Scott County Board of Supervisors

ATTEST: Roxanna Moritz
Scott County Auditor

Scott County Board of Supervisors
April 25, 2016 12:30 p.m.

The Board of Supervisors met pursuant to adjournment with Hancock, Earnhardt, Kinzer, Sunderbruch and Holst present.

Moved by Earnhardt, seconded by Sunderbruch at 12:32 p.m. a motion to close the meeting pursuant to Iowa Code Section 21.5(1)(i) to evaluate the professional competency of an individual whose appointment, hiring, performance, or discharge is being considered when necessary to prevent needless and irreparable injury to that individual's reputation and that individual requests a closed session. Roll Call: All Ayes.

Moved by Earnhardt, seconded by Sunderbruch at 7:14 p.m. a motion to convene in open session. Roll Call: All Ayes.

Moved by Hancock, seconded by Earnhardt at 7:14 p.m. a motion to adjourn. All Ayes.

Jim Hancock, Chair of the Board
Scott County Board of Supervisors

ATTEST: Roxanna Moritz
Scott County Auditor

Scott County Board of Supervisors
April 28, 2016 4:00 p.m.

The Board of Supervisors met pursuant to adjournment with Hancock, Earnhardt, Kinzer, Sunderbruch and Holst present.

Moved by Earnhardt, seconded by Holst at 4:01 p.m. a motion to close the meeting pursuant to Iowa Code Section 21.5(1)(i) to evaluate the professional competency of an individual whose appointment, hiring, performance, or discharge is being considered when necessary to prevent needless and irreparable injury to that individual's reputation and that individual requests a closed session. Roll Call: All Ayes.

Moved by Earnhardt, seconded by Holst at 4:11 p.m. a motion to convene in open session. Roll Call: All Ayes.

Moved by Earnhardt, seconded by Kinzer at 4:12 p.m. a motion to adjourn. All Ayes.

Jim Hancock, Chair of the Board
Scott County Board of Supervisors

ATTEST: Roxanna Moritz
Scott County Auditor

Scott County Board of Supervisors
May 3, 2016 8:00 a.m.

The Board of Supervisors met as a committee of the whole and pursuant to adjournment with Earnhardt, Kinzer, Sunderbruch, Holst and Hancock present.

Moved by Earnhardt, seconded by Kinzer at 8:48 a.m. a motion to adjourn. All Ayes.

Jim Hancock, Chair of the Board
Scott County Board of Supervisors

ATTEST: Roxanna Moritz
Scott County Auditor

Scott County Board of Supervisors
May 3, 2016 11:27 a.m.

The Board of Supervisors met pursuant to adjournment with Earnhardt, Kinzer, Sunderbruch, Holst and Hancock present.

Moved by Earnhardt, seconded by Sunderbruch at 11:28 a.m. a motion to close the meeting pursuant to Iowa Code Section 21.5(1)(i) to evaluate the professional competency of an individual whose appointment, hiring, performance, or discharge is being considered when necessary to prevent needless and irreparable injury to that individual's reputation and that individual requests a closed session. Roll Call: All Ayes.

Moved by Earnhardt, seconded by Sunderbruch at 11:52 a.m. a motion to convene in open session. Roll Call: All Ayes.

Moved by Earnhardt, seconded by Holst at 11:52 a.m. a motion to adjourn. All Ayes.

Jim Hancock, Chair of the Board
Scott County Board of Supervisors

ATTEST: Roxanna Moritz
Scott County Auditor

Scott County Board of Supervisors
May 5, 2016 5:00 p.m.

The Board of Supervisors met pursuant to adjournment with Earnhardt, Kinzer, Sunderbruch, Holst and Hancock present. The Board recited the pledge of allegiance.

Moved by Sunderbruch, seconded by Earnhardt approval of the minutes of the April 21, 2016 Regular Board Meeting, the minutes of the April 25, 2016 Special Board Meeting with Closed Session, the minutes of the April 28, 2016 Special Board Meeting with Closed Session, the minutes of the May 3, 2016 Committee of the Whole Meeting and the minutes of the May 3, 2016 Special Board Meeting with Closed Session. All Ayes.

Moved by Earnhardt, seconded by Kinzer that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) That the request for the road closures for the Quad City Triathlon to close Y48 from West Lake Park Gate 5 to Locust Street – West on Locust Street To Y40 – North on Y40 - 2 miles to turn around on June 18, 2016 is approved. 2) That the Quad City Triathlon will work with the Scott County Sheriff's Department to provide the necessary traffic control and safety. 3) That this resolution shall take effect immediately.

Moved by Earnhardt, seconded by Holst that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) That the request from the Quad City Air Show to close Slopertown Road east from 145th Avenue to South First Street in Eldridge, and 210th Street west from Highway 61 to the Airport Entrance on June 23 – 26, 2016 be approved. 2) That the Quad City Air Show will work with the Scott County Sheriff's Department to provide the necessary traffic control and safety. 3) That this resolution shall take effect immediately.

Moved by Earnhardt, seconded by Kinzer that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) That the purchase of structural steel be awarded to bidder, Oden Enterprises, Inc., Wahoo, NE in the amount of \$35,619.64. The structural steel will be used to construct a 38' by 31'-2 bridge located on 97th Avenue over a Tributary to Mud Creek in Section 3 of Hickory Grove Township. 2) That this resolution shall take effect immediately.

Moved by Earnhardt, seconded by Sunderbruch the final of three readings of an ordinance to repeal Chapter 6 of the Scott County Code and adopt a new Chapter 6 which includes regulations to allow the creation of an industrial floating zone district; revised descriptions of the general intent of some zoning districts; changes to the permitted, accessory, and special uses permitted in some zoning districts; clarification

of regulations for community area developments in rural Scott County; and changes to the area, setback, and height restrictions of particular zoning districts. Roll Call: Earnhardt, Sunderbruch, Hancock voted Aye, while Kinzer and Holst voted Nay.

Scott County Ordinance 16-03

AN ORDINANCE TO REPEAL CHAPTER 6 OF THE SCOTT COUNTY CODE AND ADOPT A NEW CHAPTER 6 WHICH INCLUDES REGULATIONS TO ALLOW THE CREATION OF AN INDUSTRIAL FLOATING ZONE DISTRICT; REVISED DESCRIPTIONS OF THE GENERAL INTENT OF SOME ZONING DISTRICTS; CHANGES TO THE PERMITTED, ACCESSORY, AND SPECIAL USES PERMITTED IN SOME ZONING DISTRICTS; CLARIFICATION OF REGULATIONS FOR COMMUNITY AREA DEVELOPMENTS IN RURAL SCOTT COUNTY; AND CHANGES TO THE AREA, SETBACK, AND HEIGHT RESTRICTIONS OF PARTICULAR ZONING DISTRICTS

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

Section 1. Repeal all of Chapter 6, SCOTT COUNTY CODE, 2012.

Section 2. Adopt a new Chapter 6, SCOTT COUNTY CODE, which reads as follows:

Chapter 6

ZONING FOR UNINCORPORATED AREAS

6-1. TITLE

6-2. SCOPE AND PURPOSE

6-3. INTERPRETATION OF STANDARDS

6-4. FARM EXEMPTIONS

6-5. DEFINITIONS

6-6. GENERAL REGULATIONS AND PROVISIONS

6-7. NON-CONFORMING USES

6-8. ESTABLISHMENT OF DISTRICTS AND DISTRICT BOUNDARIES

ZONING DISTRICT REGULATIONS

6-9. "A-P" Agricultural-Preservation District.

6-10 "A-G" Agricultural-General District

6-11. "A-CSF" Agricultural-Commercial Service Floating District

6-12. "R-1" Single-Family Residential District

6-13. "R-2" Multi-Family Residential District

6-14. "CAD-R" Community Area Development Residential District

6-15. "CAD-PV" Community Area Development Park View Commercial District

6-16. "C-1" Neighborhood Commercial District

6-17. "C-2" Commercial and Light Industrial District

6-18. "I" Industrial District

6-19. "I-F" Industrial Floating District

6-20. "SW-F" Solid Waste Disposal Site Floating District

6-21. GENERAL PROVISIONS OF THE FLOODWAY, FLOODWAY FRINGE, AND FLOODPLAIN OVERLAY DISTRICTS

6-22. "FW" Floodway Overlay District

6-23. "FF" Floodway Fringe Overlay District

- 6-24. "GF" General Flood Plain Overlay District
- 6-25. MOBILE HOME PARK REGULATIONS
- 6-26. TRAVEL TRAILER PARK REGULATIONS
- 6-27. OFF STREET VEHICULAR PARKING REQUIREMENTS
- 6-28. SIGN AND BILLBOARD REGULATIONS
- 6-29. SITE PLAN REVIEW
- 6-30. ZONING BOARD OF ADJUSTMENT PROCEDURES
- 6-31. ZONING AMENDMENT PROCEDURES
- 6-32. COMMUNITY AREA DEVELOPMENT ADMINISTRATION
- 6-33. ZONING ADMINISTRATOR DUTIES
- 6-34. OCCUPENCY PERMITS
- 6-35. MUNICIPAL INFRATION
- 6-36. VALIDITY AND SEVERABILITY

6-1. TITLE

This Chapter of the Scott County Code shall be known as the Zoning Ordinance for Unincorporated Scott County.

6-2. SCOPE AND PURPOSE

Except as may be hereinafter specified, no land, building, structure, or premises, hereafter shall be used and no structure may be located, constructed, extended, converted, structurally altered or otherwise developed without full compliance with the terms of this Ordinance.

This Ordinance is hereby amended to carry out the objectives and policies of the Scott County Comprehensive Plan, 2008 with approved addendums and amendments, and Code of Iowa, Chapter 335 County Zoning, (2015). The more specific purposes of this Ordinance are to implement the Comprehensive Plan and to preserve the availability of agricultural land; to protect farming operations; to promote the protection of soil from wind and water erosion; to encourage sound economic development including the creation of employment opportunities and the growth of the County tax base; to encourage efficient urban development patterns; to promote energy conservation and the reasonable access to solar energy; to protect the health, safety, and the general welfare; to conserve property values and protect property rights; to conserve and protect our other natural resources; and to encourage the most appropriate use of land throughout the County.

6-3. INTERPRETATION OF STANDARDS

In the interpretation and application, the provisions of this Ordinance shall be held to be minimum requirements. Where this Ordinance imposes a greater restriction than is imposed or required by other provisions of law or by other rules, regulations, or restrictive covenants, the provisions of this Ordinance shall control.

All provisions of this Zoning Ordinance are intended to comply the terms, regulations and restrictions of the Code of Iowa, Chapter 21 Open Meeting Law, (2015).

For the purposes of this Ordinance, certain terms and words are hereby defined in Section 6-5. Words used in the present tense shall include the future, the singular number shall include the plural, and the plural number includes the singular; the words "shall," "must," and "will" are mandatory, the word "may" is permissive; the word "person" includes an individual, firm association, organization, partnership, trust,

company, or corporation; the words "used" or "occupied" include the words "intended," "designed," or "arranged" to be used or occupied."

6-4. FARM EXEMPTIONS

A. Except to the extent required to implement Sections 6.21 through 6-24 (Floodplain Regulations), no regulation adopted under the provisions of this Ordinance shall be construed to apply to farm land, farm houses, farm barns, farm outbuildings, or other buildings or structures which are primarily adapted, by reason of nature and area for use for agricultural purposes, while so used.

(1) Agricultural buildings and land uses are not exempt from complying with any Federal, State, or local regulations concerning developing, depositing, or excavating in or on the designated Scott County Floodplain.

(2) It shall be the responsibility of any person or group claiming that certain property or buildings are entitled to exemption on the basis of this Section to demonstrate that the property and buildings are primarily adapted and used for agricultural purposes in accordance with the policies for determining such exemption established by the Scott County Comprehensive Plan.

B. A special exemption applies to certain matters regulated by the Iowa Utility Board. The exemption from complying with the ordinance applies to franchised electric transmission and gas/commodity pipe lines and associated structures and equipment. Exempted franchised utilities are urged to comply voluntarily with the zoning requirements and Scott County Land Use Policies. This exemption does not include communications towers for telephone, cellular, and cable television companies, and other public and private towers as referenced in Section 6-9 D.(1) herein below.

6-5 DEFINITIONS

1. ACCESSORY BUILDING: A structure which is secondary or subordinate to the principal building on the same lot or tract and used for a permitted accessory use.

2. ACCESSORY PERMITTED USE: An activity which is secondary or subordinate to the principal use on the same lot or tract and serving a purpose customarily incidental to the use of the principal building or use of land.

3. ADULT: As used in this Ordinance, refers to persons who have attained the age of at least eighteen (18) years.

4. ADULT BOOKSTORE: An establishment having as a substantial or significant portion of its stock in trade, books, magazines, and other periodicals which are distinguished or characterized by their emphasis on matter depicting or describing or relating to "Specified Sexual Activities" or "Specified Anatomical Areas", (as defined below) or an establishment with a segment or section devoted to the sale or display of such material.

5. ADULT MOTION PICTURE THEATER: An enclosed building used predominately for presenting motion pictures, slides, or photographic reproductions distinguished or characterized by an emphasis on matters depicting, describing, or relating to "Specified Sexual Activities" or "Specified Anatomical Areas", (as defined herein) for observation by persons compensating the business therein.

6. AGRICULTURE: See Farming.

7. BASEMENT: A story having more than one-half (1/2) of its height below the average grade surrounding the building. A basement is not counted as a story for height regulation purposes. See also "lowest floor" definition for flood plain requirements.

8. **BED AND BREAKFAST HOME:** A private residence which provides lodging and meals for transient guests, in which the host or hostess resides and in which no more than four guest families are lodged at the same time and which, while it may advertise and accept reservations, does not hold itself out to the public to be a restaurant, hotel or motel, does not require reservations and serves food only to overnight guests and operates in compliance with applicable Iowa Code.
9. **BILLBOARD:** Any structure or portion of a building used for the display of advertising of a business or attraction which is not conducted on the premises upon which said billboard is located. Such off-premise advertising includes painted exterior walls with pictures, words, or logos and electronic message boards.
10. **BUILDING:** Any structure designed or intended for the support, enclosure, shelter or protection of persons, animals, or property, including mobile homes, but not including signs or billboards.
11. **BUILDING, HEIGHT OF:** The vertical distance from the average natural grade to the highest point of a flat roof, or the deck line of a mansard roof, or the average height of highest gable of a pitch or hip roof.
12. **BUILDING OFFICIAL:** The individual designated by the Board of Supervisors to review and inspect new construction and enforce the Scott County International Construction Codes.
13. **BULK STORAGE PLANT:** That portion of property where hazardous or flammable liquids or gases are received by pipeline, tank cars, or tank vehicles, and are stored in bulk above the ground for the purpose of distributing such liquids or gases, where the aggregate capacity of all storage on the property exceeds twelve thousand (12,000) gallons.
14. **BUSINESS OR COMMERCIAL:** When used in this Ordinance, the term refers to engaging in the purchase, sale, or exchange of goods or services, or the operation of offices, services, recreational or amusement enterprises.
15. **CELLAR:** A portion of a building below the lowest floor which is not used for habitation. It may be a crawl space or storage space, if it complies with the Scott County Construction Codes. A cellar is not counted as a story for height regulation purposes. See also "lowest floor" definition for flood plain requirements.
16. **CHANNEL:** A natural or artificial watercourse of perceptible extent, with a definite bed and banks to confine and conduct continuously or periodically flowing water. Channel flow is that water which is flowing within the limits of a defined channel.
17. **CLINICS:** A building or buildings used by any licensed professionals, such as physicians, lawyers, counselors, dentists, chiropractors, and other public or private professions for the care of persons requiring such professional service; this does not include veterinary or animal clinics.
18. **CORN SUITABILITY RATING (CSR):** The most current official index for ranking the productivity of soils and their suitability for row-crop production in Iowa. The CSR system rates soils from five (5) to one hundred (100), with one hundred (100) reserved for those soils a) located in areas of the most favorable weather conditions in Iowa, b) that have high yield potential, and c) that can be continuously row cropped. (A detailed description of the CSR system, including methodology and CSR estimates for various soil types, may be found in publications of the Agricultural Extension Service, Iowa State University.)

19. DAY NURSERY, NURSERY SCHOOL, OR DAY CARE (PUBLIC): Any agency, institution, establishment, or place which provides supplemental parental care and/or educational work, other than lodging overnight, for seven (7) or more children of pre-school age for compensation.
20. DEVELOPMENT: Any man-made change to alter the existing land use of a parcel of land including and not limited to the construction of buildings or structures, mining, dredging, filling, grading, excavation or paving.
21. DIRECTOR: A term referring to the individual designated by the Board of Supervisors as the Zoning Administrator of the Department of Planning and Development or his/her designee who has responsibility for County zoning administration. This term is intended to refer to the responsibilities of this position in addition to that of being the principal administrative official for this ordinance.
22. DISTRICT: An area or section of unincorporated Scott County within which the regulations governing the use of buildings and property or the height and area of buildings are uniform.
23. DISTRICT, FLOATING: A zoning district established over an existing district, in so doing superseding the regulations of the underlying district with those of the floating district. The specific use(s) for which the floating zone is established, along with a detailed site plan showing how the property will meet County development standards for that use or uses is required prior to establishment of the particular floating district.
24. DISTRICT, OVERLAY: A zoning district established over an existing district, in so doing leaving the regulations of the underlying district in place and adding the additional regulations of the overlay district. The General Floodplain Overlay District which is established in Special Flood Hazard Areas is an example of an overlay district.
25. DRIVEWAY: A private drive providing access for vehicles and pedestrians to the property and/or the principal building or use from the adjacent road or street.
26. DWELLING UNIT: Any building or portion thereof having one or more habitable rooms which are designed to be occupied by one family with facilities for living, sleeping, cooking, eating, and sanitation. The dwelling unit shall be constructed in compliance with the Scott County Construction Codes or the U.S. Department of Housing and Urban Development Code under authority of 42 U.S.C., Sec. 5403, Federal Manufactured Home Construction and Safety Standards, whichever is applicable. A dwelling unit shall have a floor area of at least 640 square feet, have a minimum width of 20 feet for at least 75% of its narrowest dimension, and be placed on permanent foundation, and be taxed as real property.
27. DWELLING, SINGLE-FAMILY: A building designed for or occupied exclusively for residence purposes by one (1) family. These may be "Detached" so that the dwelling unit is the only one within the structure or "Attached" where there are two, but no more than two, dwelling units within a single structure. With an Attached Single-Family Dwelling each unit is considered a separate building under the provisions of the Scott County International Construction Code, the two units are separated by a common wall and there is a lot line which follows that common wall and extends to define two separate lots. (See also 6-6 H. "Zero Lot Line".)
28. DWELLING, TWO-FAMILY (DUPLEX): A building designed for or occupied by two (2) families only, with separate exterior entrances, housekeeping, cooking and sanitation facilities for each dwelling.

29. DWELLING, TOWNHOUSE: A single family dwelling unit constructed in a row of three or more attached units in which each unit extends from the foundation to the roof and with a yard or public access on at least two sides.
30. DWELLING, MULTIPLE-FAMILY: A building or buildings with three (3) or more dwelling units, with separate housekeeping, cooking and sanitation facilities for each unit. Building may be under one (1) title owner, or a separate title of ownership for each dwelling unit.
31. EASEMENT: A grant of one or more of the property rights by the owner to, or for the use by, the public, adjacent property owner, a corporation, or another person or entity.
32. FAMILY: One (1) or more persons occupying a single dwelling unit, provided that unless all are related by blood, marriage, or adoption, no such family shall contain over five (5) persons.
33. FARM: A tract of land primarily adapted and used for agricultural purposes and assessed as agricultural property.
34. FARMING: The science or art of producing agricultural products which involves cultivating the soil and producing crops for food, fiber, fuel or consumer products, or the raising of livestock for food or other consumer products. Farming does not include residential gardening or keeping of livestock for recreational or hobby purposes (See definition of "livestock", "kennel, commercial", "kennel, private", "stable, private", and "stable, public").
35. FARM BUILDING: An enclosed building or other structure primarily adapted and used for agricultural purposes located on a farm.
36. FARM HOUSE: A single-family residence located on a farm and occupied by a farmer.
37. FARMER: A person or persons actively engaged in farming or someone who is retired from farming when it relates to the land the farmer formerly farmed.
38. FARMSTEAD: The area of a farm containing a farm house(s) or an area that can be shown at one time to be the location of a farm house. The farmstead may also include farm buildings, other associated farm structures and adjacent service or yard areas along with any adjacent timber, shelter belts or pond areas of the farm.
39. FLOOD: A general and/or temporary rise in stream or river flow or flood stage that results in water overflowing its banks and inundating normally dry land areas adjacent to the channel, or from the unusual and rapid accumulation of runoff or surface waters from any source.
40. FLOOD ELEVATION: The elevation floodwaters would reach at a particular site during the occurrence of a specific flood.
41. FLOOD INSURANCE RATE MAP (F.I.R.M.): The official map prepared by the Federal Emergency Management Administration (FEMA) as a part of the Flood Insurance Study of a community, delineating both the special flood hazard areas and the risk premium zones applicable to such areas.
42. FLOOD INSURANCE STUDY: A study initiated, funded, and published by FEMA for the purpose of evaluating in detail the existence and severity of flood hazards; providing the County with the necessary information for adopting a flood plain zoning ordinance; and establishing actuarial flood insurance rates.
43. FLOOD PLAIN: Any land area susceptible to being inundated by water as a result of a flood; also referred to as Special Flood Hazard Area (SFHA).

44. **FLOOD PLAIN MANAGEMENT:** The operation of an overall program of correction and preventive measures for reducing flood damage and promoting the wise use of floodplains, including but not limited to, emergency preparedness plans, flood control works, floodproofing, and floodplain management regulations.
45. **FLOODPROOFING:** Any combination of structural and nonstructural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, mechanical equipment, structures and their contents.
46. **FLOODWAY:** The channel of a river or other watercourse and the adjacent land areas, which are reasonably required to carry and discharge flood waters or flood flows so that confinement of flood flows to the floodway area will not result in substantially higher flood levels and flow velocities.
47. **FLOODWAY FRINGE:** That area of the flood plain, outside of the floodway, that can be filled, leveled or otherwise obstructed without causing substantially higher flood levels or flow velocities.
48. **GARAGE, PRIVATE:** An enclosed structure intended for the parking of the private motor vehicles of the families residing upon the premises and accessory to the residence.
49. **GARAGE, PUBLIC:** Any commercial building on premises used for equipping, refueling, servicing, parking, repairing, selling, or storing motor-driven vehicles.
50. **GRADE:** The average level of the finished surface of the ground within five feet from the exterior walls of the building.
51. **GROUP HOUSING:** A building or place where lodging or boarding is provided for compensation or not; for five (5) or more individuals, but not open to transient guests as would be found in a motel/hotel. Normally associated with a charitable organization or government financed program to assist unique groups of people.
52. **HEALTH CARE FACILITY:** An establishment for provisions of care to persons suffering from illness, injury or disability and includes hospitals, custodial homes, nursing homes, convalescent homes, extended care facilities, and similar facilities.
53. **HEALTH CLUB:** A non-medical service establishment intended to maintain or improve the physical condition of paying customers and that has exercise and/or game equipment and facilities, steam baths, saunas, hot tubs, or similar equipment.
54. **HOME INDUSTRY:** An accessory use of a light industrial or commercial carried on entirely within the residence and/or an accessory building by a member of the family residing on the premises where there is no evidence, excluding permitted signage, of such occupation being conducted on the premises by virtue of exterior displays or unscreened outdoor storage, excessive noises, obnoxious odors, electrical disturbances or a significant increase in vehicular activity. A home industry shall comply with restrictions of Section 6-6.V.
55. **HOME OCCUPATION:** An accessory use carried on entirely within the residence by a member of the family residing on the premises where there is no evidence, excluding permitted signage, of such occupation being conducted on the premises by virtue of exterior displays or unscreened outdoor storage, excessive noises, obnoxious odors, electrical disturbances or a significant increase in vehicular activity. A home occupation shall comply with restrictions of Section 6-6.V.

56. HOTEL: An establishment which is open to any number of transient guests that provides sleeping quarters and private baths, maid service, and other services and facilities to assist the traveling public. In some cases, it may provide long-term housing to the public.

57. INDUSTRIAL: When used in this Ordinance, term refers to a use engaged in the basic processing and manufacturing of material or products predominately from extracted or new materials, or a use engaged in the storage of, or manufacturing processes using flammable or explosive materials, or storage or manufacturing processes that potentially involve hazardous or commonly recognized significant environmental impacts. Also uses involving the salvage dismantling, recycling, or re-manufacturing of materials, equipment or vehicles. These uses may include sizable areas for operations and storage of materials outside of an enclosed building.

58. INDUSTRIAL, LIGHT: When used in this Ordinance, term refers to a use conducted primarily within enclosed buildings engaged in the manufacture, predominantly from previously prepared materials, of finished products or parts, including processing, fabrication, assembly, treatment, packaging and a use engaged in warehousing, distribution, wholesale trade, and catalogue sales.

59. INSTITUTION: A building or use occupied or run by a government agency, non-profit organization, or institution of higher learning to serve the social, educational, charitable, and/or religious needs of the public.

60. JUNK OR SALVAGE YARD: An industrial site where metals, plastics, wood, appliances, equipment or vehicles and other discarded or salvaged materials are bought, sold, exchanged, baled, stored, packed, dis-assembled, or sorted for profit or not for profit. Includes the dismantling or wrecking of vehicles, appliances, machinery, or equipment and the dismantling, sorting and resale of building materials salvaged from building sites.

The visible presence of two (2) or more junk vehicles on any subdivision lot in a residential zoning district or three (3) or more junk vehicles on any parcel of land in an agricultural zoning district shall constitute prima facie evidence of a junk yard and is a violation of this Ordinance.

61. JUNK VEHICLE: A motorized vehicle including autos, trucks, motorcycles, race cars, etc., which does not have a current IDOT registration or has one of two following conditions: parts have been removed for re-use, salvage, or sale or the vehicle has not or been incapable of operating under its own power for more than 30 days.

62. KENNEL, COMMERCIAL: Any establishment where four or more dogs, cats, or other animals normally allowed outdoors, six months or older, are kept for breeding boarding, grooming, selling, or training services in return for a consideration.

63. KENNEL, PRIVATE: A non-commercial kennel at a private residence where four (4) or more dogs, cats, or both, are kept for the hobby of the householder, as opposed to a commercial kennel. The keeper of a hobby kennel may keep up to ten adult dogs or cats per year and may raise and sell not more than fifteen (15) offspring during any calendar year before being considered a commercial kennel.

64. LIVESTOCK: Cattle, horses, sheep, swine, poultry, or any other animal or fowl which are produced primarily for food, fiber or other commercial purposes.

65. LOT: A parcel of land at least sufficient in size to meet minimum zoning requirements for use, coverage, and area to provide such yards and other open space

as are herein required. Such lot shall have legal access to a public or private street and may consist of:

- (a) A single lot of record for which the contract of purchase or deed has been recorded in the Office of the Recorder of Scott County, Iowa prior to April 2, 1981;
- (b) A parcel of land described by metes and bounds, if created and recorded in the Recorder's Office prior to July 1, 1990; or
- (c) A parcel described with a Plat of Survey approved by the Zoning Administrator and recorded in the Recorder's Office; or
- (d) A parcel described by a landowner and rented to an individual, family, or corporation for residential or recreational purposes (such as river camp lots or mobile home lots), provided documentation of the rental agreement and continuous occupancy since April 2, 1981 can be shown.

If lots are combined or divided to form such a lot as described above, any residual lot or parcel created must meet the requirements of this Ordinance.

66. LOT AREA: Total horizontal area within lot lines.

67. LOT, CORNER: A lot abutting upon two (2) or more streets at their intersection.

68. LOT DEPTH: The mean horizontal distance between the front and rear lot lines.

69. LOT, DOUBLE-FRONTAGE: A lot having a frontage on two (2) non-intersecting streets, as distinguished from a corner lot. The yard opposite the direction the front of the house is facing may have accessory buildings and structures, but still must meet the front yard setbacks.

70. LOT, INTERIOR: A lot other than a corner lot or double frontage lot.

71. LOT LINES: The lines bounding a lot, including the adjacent road right-of-way or easement line along the frontage. The front lot line separates the lot from the street right of way or road easement on which the lot fronts. In the case of a corner or double frontage lot all lot lines adjacent to street right of way or road easement shall be considered front lot lines. The rear lot line is opposite and most distant from the front lot line. In the case of an irregularly shaped lot, the rear lot line shall be the imaginary line parallel to and most distant from the front lot line at the point where the lot width is not less than ten feet. In the case of a corner lot, the rear lot line would be one of the lines parallel to one of the front lot lines and designated when a building permit is issued. A side lot line is any lot line that is neither a front nor a rear lot line. (Also see definition of Yard, Front, Rear, Side.)

72. LOT WIDTH: The width of a lot measured at the building line and at right angles to its depth.

73. LOWEST FLOOR: The floor of the lowest enclosed area in a building except when the following criteria are met:

- (a) The enclosed area is designed to flood to equalize hydrostatic pressure during flood with walls or openings that satisfy the provisions of the "FF" District; and
- (b) The enclosed area is unfinished (not carpeted, sheet rocked, or have other trim or interior finishes) and used solely for low damage potential uses such as building access, parking, and storage; and
- (c) Machinery and service facilities (e.g., hot water heater, furnace, electrical service) contained in the enclosed area are located at least one (1) foot above the 100-year flood level; and
- (d) The enclosed area is not a "basement" as defined above.

In cases where the lowest enclosed area satisfies criteria a, b, c, and d above, the lowest floor is the floor of the next highest enclosed area that does not satisfy the criteria above.

74. **MASSAGE ESTABLISHMENT:** Any establishment having a fixed place of business where massages are administered for any form of consideration or gratuity; including, but not limited to massage parlors, health clubs, sauna baths, and steam baths. Refer to Scott County Code Chapter 15 for details.

75. **MANUFACTURED HOME:** A factory-built structure, which is manufactured or constructed under the authority of 42 U.S.C., Sec. 5403 and is to be used as a place for human habitation as defined by a dwelling unit, but which is not constructed or equipped with a permanent hitch or other device allowing it to be moved other than for the purpose of moving to a permanent site, and which does not have permanently attached to its body or frame any wheels or axles. Any factory-built structure used for human habitation which does not meet all the above requirements is considered a mobile home and shall be regulated as a mobile home.

76. **MOBILE HOME:** Any vehicle, not registered as a motor vehicle in Iowa, used or so manufactured or constructed as to permit its being used as a conveyance upon the public streets

and highways and so designated, constructed, or reconstructed, as will permit the vehicle to be used as a place for human habitation by one (1) or more persons. A mobile home is not a manufactured home unless it has been converted to comply with the requirements as a manufactured home.

77. **MOBILE HOME PARK:** Any site, lot, or tract of land upon which two (2) or more occupied mobile homes are located.

78. **MOTEL:** An establishment which is open to any number of transient guests that provides sleeping quarters and private baths, maid service, and other services and facilities to assist the traveling public. In some cases, it may provide long-term housing to the public.

79. **NEW CONSTRUCTION:** Those structures or development for which the start of construction began on or after June 1, 1977 -the effective date of the initial Flood Insurance Rate Map.

80. **NON-CONFORMING USE:** Any building or land lawfully used at the time of the effective date of this Ordinance which does not conform after the effective date of this Ordinance with the use regulations of the District in which it is situated.

81. **ONE HUNDRED (100) YEAR FLOOD:** A flood which has the magnitude and statistical likelihood of occurring once every one hundred (100) years. There is a one in one hundred (1%) chance in any year for such a flood.

82. **PARKING SPACE:** A permanently surfaced area of not less than one hundred eighty (180) square feet plus necessary maneuvering space for the parking of a motorized vehicle. For handicapped parking, the space will not be less than required by State of Iowa Administrative Rules.

83. **PERMANENT FOUNDATION:** A site-built or site-assembled structure or system of stabilizing devices. It must be capable of transferring design dead loads and live loads required by Federal regulations and other design loads unique to local home sites, wind, seismic, soil, and water side conditions that may be imposed on the structure. The foundation shall be to a depth of not less than forty-two inches (42") below grade and

constructed of materials approved by the adopted edition of the International Residential Code.

84. PERMITTED USES: Those uses expressly allowed, or permitted by right, in the zoning district(s) in which they are listed.

85. PRINCIPAL USE: The primary use of land or structure as distinguished from an accessory use.

86. RIGHT-OF-WAY: A type of easement reserved by a governmental agency giving it or the public the right to travel on, over, and under the area which is generally reserved for vehicular and pedestrian access to adjacent properties as well as the placement of public and private utilities and also including stormwater drainage.

87. ROADSIDE STAND: A temporary structure, unenclosed, and so designed and constructed that the structure is easily portable and can be readily moved. Used for the sale of farm products, primarily produced on the premises.

88. SANITARY LANDFILL: A site where solid wastes are disposed of by utilizing the principles of engineering to confine the solid waste to the smallest practical volume and to cover it with a layer of earth so that no nuisance or hazard to the public health is created.

89. SEXUAL ACTIVITY ESTABLISHMENT (ADULT ENTERTAINMENT CENTER): An establishment used for the display of live presentations distinguished or characterized by an emphasis on matter depicting or describing or relating to specified sexual activities or specified anatomical areas. Provided that the provisions of this section shall not apply to a theater, concert hall, art center, museum, or similar establishment, which is primarily devoted to the arts or theatrical performances, and which is not primarily devoted to presentations distinguished or characterized by an emphasis on matter depicting or describing or relating to specified sexual activities or specified anatomical areas.

90. SIGN: Any word(s), lettering, figures, emblems, pictures, trade names, or trademarks used by an individual, firm, or association, a corporation, a profession, a business, a service, a community, a church, or school and visible from any public street or right-of-way and designed to attract attention for commercial or non-profit purposes. This is not be to construed to include directional signs erected or required by governmental bodies, legal notices, signs bearing only property numbers or names of occupants on premises.

91. SPECIAL PERMITTED USES: Those uses which, due to their unique character/nature and potential impacts upon surrounding properties, are subject to approval by the Zoning Board of Adjustment in the zoning district(s) in which they are listed.

92. SPECIFIED SEXUAL ACTIVITIES: As used in this Ordinance, defined as: (a) human genitals in a state of sexual stimulation or arousal; (b) acts of human masturbation, sexual intercourse or sodomy; (c) fondling or other erotic touching of human genitals, pubic region, buttocks, or female breasts.

93. SPECIFIED ANATOMICAL AREAS: As used in this Ordinance, defined as: (a) less than completely and opaquely covered (1) human genitals, pubic region; (2) buttocks; and (3) female breasts below a point immediately above the top of the areola; and (b) human male genitals in a discernible turgid state, even if completely and opaquely covered.

94. **STABLE, PRIVATE:** A building or structure with four (4) enclosed walls used or intended to be used for housing horses belonging to the owner of the property, only for non-commercial purposes.
95. **STABLE, PUBLIC:** A building or structure used or intended to be used for the housing only of horses on a fee basis. Riding instruction may be given in connection with the public stable.
96. **START OF NEW CONSTRUCTION:** Includes substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, re-construction, placement or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on the site, such as the pouring of slab or footings, the installation of piers, the construction of columns, or any work beyond the stage of excavation, or the placement of a factory-built home on a foundation.
97. **STORY:** That portion of a building included between the surface of any floor and the surface of the floor above it, or, if there be no floor above it, then the space between the floor and the ceiling or roof next above it.
98. **STREET:** All land between right-of-way lines or road easement lines dedicated to a governmental unit or perpetually restricted to access. The definition includes the terms road, street, avenue, and highway, no matter how named, whether public or private, but does not include private driveways from a street to a house.
99. **STRUCTURAL ALTERATIONS:** Any replacement or change in the type of construction or in the supporting members of the building, such as bearing walls or partitions, columns, beams or girders, beyond ordinary repairs and maintenance.
100. **STRUCTURE:** Anything constructed or erected with a fixed location on the ground, attached to the ground, or which is attached to something having a permanent location on the ground, including, but not limited to buildings which require building permits, factory-built homes, billboards, or poster panels, storage tanks, or similar uses.
101. **SUBDIVISION:** The accumulative effect of dividing an original lot, tract, parcel of land or aliquot part, as of January 1, 1978, into three (3) or more lots (including the parent parcel) for the purpose of immediate or future sale, transfer or development purposes. The term includes a re-subdivision or re-platting. When appropriate to the context, the word may relate to the process of subdividing or the land subdivided.
102. **SUBSTANTIAL DAMAGE:** Flood damage sustained by a structure where the cost of restoring the structure to its prior condition would equal or exceed fifty (50) percent of the assessed value of the structure before the damage occurred.
103. **SUBSTANTIAL IMPROVEMENT:** Any repair, reconstruction, or improvement of a structure, the cost of which equals or exceeds fifty percent (50%) of the assessed value of the structure before the improvement or repair is started. For the purposes of this definition, "substantial improvement" is considered to occur when the first alteration affects the external dimensions of the structure. The term does not include, however, any project for improvement of a structure to comply with existing state or local health, sanitary, or safety code specifications which are solely necessary to assure safe conditions for the existing use.
104. **TRAVEL TRAILER:** A recreational vehicle, with or without motive power, designed as a temporary dwelling, not exceeding eight (8) feet in width and forty (40) feet in

length, exclusive of separate towing unit. Such vehicles are customarily and ordinarily used for travel or recreational purposes and not used for permanent habitation.

105. TRAVEL TRAILER PARK (CAMP): An area licensed and used or offered for use in whole or in part, with or without charge, for the parking of occupied travel trailers, pickup campers, converted buses, motor homes, tent trailers, tents, or similar devices used for temporary, portable housing. Unoccupied mobile homes, travel trailers, and similar devices may be stored in the Park, but only in an area marked for storage. No repair, maintenance, sales, or servicing of such devices are allowed in the Park.

106. VEHICLE PARKING AND CIRCULATION AREAS: The areas on a lot or parcel where motor vehicles of customers, employees, visitors or building occupants park on a day to day basis. This includes all areas where vehicles are permitted to park, load and unload and circulate from the adjacent street or road to the building(s) or facilities on the property including, marked parking stalls, access lanes and driveways. All such areas must meet the Iowa Statewide Urban Design and Specifications (SUDAS) Chapter 12, Parking Lots, Sections 1-6.

107. VEHICLE STORAGE AREAS: The areas on a lot or parcel which access is limited and controlled by fencing, gates or other means where vehicles, equipment and other materials are stored for extended periods of time. Such areas are not required to meet Iowa Statewide Urban Design and Specifications (SUDAS) Chapter 12, Parking Lots, Sections 1-6.

108. YARD: An open space on the same lot with a building, unoccupied and unobstructed by any portion of the structure from the ground upward, except as otherwise provided in this Ordinance. In measuring a yard for the purpose of determining the width, length, or depth, the least distance between the lot line and the nearest permitted building shall be used.

109. YARD, FRONT: A yard extending across the full width of the lot and measured between the platted street right-of-way line or roadway easement line and the principal building.

110. YARD, REAR: A yard extending across the full width of the lot and measured between the rear lot line and the building or any projections other than steps, unenclosed balconies, or unenclosed porches. On interior lots, the rear yard is opposite the front yard. On corner lots, the rear yard is designated at the time a building permit is issued and is one of the yards opposite one of the front yards (See definition of Lot Lines, Rear).

111. YARD, SIDE: A yard extending from the front yard to the rear yard and measured between the side lot lines and the nearest principal building.

112. ZONING ADMINISTRATOR: The individual assigned by the Board of Supervisors in accordance with Chapter 335, Iowa Code, with the sole responsibility to administer the Scott County Revised Zoning Ordinance in accordance with Chapter 6, County Code and Chapter 335, Iowa Code.

6-6. GENERAL REGULATIONS AND PROVISIONS

A. Agricultural Soils Protection: In compliance with the Scott County Comprehensive Plan, it is the intent of this Ordinance that the "R-1", "R-2", "C-1", "C-2", and "I" Zoning Districts not be established through rezoning of an "A-P" District, and that the rezoning of an "A-P" District to "A-G", "A-CSF", or "I-F" only be established through the provisions

of this Ordinance and in compliance with a preponderance of the adopted land use policies contained in the Scott County Comprehensive Plan.

(1) The "A-P" District was originally developed using the Land Use Policies in the 1980 Scott County Development Plan. The A-P District is intended to protect highly productive soils and agricultural operations. Scott County uses the most current edition of the Soil Survey of the County as compiled from the National Resources Conservation Services (NRCS) of the U.S. Department of Agriculture. The County Board of Supervisors has established a Corn Suitability Rating (CSR) of sixty (60) or greater as a weighted average per quarter section of land and the soil types listed as Prime Farmland in the Soil Survey of Scott County for protection from urban development, unless it meets a preponderance of other adopted land use policies.

(2) An application for rezoning of an "A-P" District will result in an in-depth study of the soils characteristics and CSR for the land in the application by the Planning and Development staff and the Natural Resources Conservation Service. The Planning and Zoning Commission and the Board of Supervisors will use the soil analysis, land use

policies analysis, and public comments to make a decision on the rezoning request.

B. Splitting the Farmstead from Farm: When an application is submitted for approval of a Plat of Survey for a farmstead split, the farmstead shall be platted in accordance with all applicable provisions of the Iowa Code. The platted lot shall include the existing house or houses or an area that can be shown to be at one time the location of a farm house and be no larger than necessary to include the typical farm buildings as well as any yard, timber or pond area. Once the Plat of Survey is recorded neither the new lot nor the remaining farmland may be subsequently platted into smaller lots in violation of the Zoning and/or Subdivision Ordinance. Further subdivision would require that the land first be rezoned to an appropriate zoning district for the proposed intended use.

C. Disincorporation and Severance: Any additions to the unincorporated areas of the County resulting from the disincorporation of a municipality or a severance of a part of a municipality shall be automatically classified as an "A-G" Agricultural-General District until otherwise classified by the rezoning process.

D. Road or Public Way Vacation: Whenever any road, street, or other public way is vacated by official action of the Board of Supervisors of Scott County, the Zoning District adjoining each side of such road or public way shall be automatically extended to the center of such vacation and all area included in the vacation shall then and henceforth be subject to all appropriate regulations of the extended districts.

E. Intensity of Use: Any lot of record at the time of effective date of this Ordinance having less area, less lot width, or less setback spacing than herein required, may be used only for the purpose allowed by the zoning district, even though it does not meet the requirements of District area requirements. Such lots of record are granted small lot status and may have a minimum front yard setback of twenty-five (25) feet, a side yard setback of five (5) feet, and a minimum rear yard setback of ten (10) feet for the principal structure and five (5) feet for accessory structures.

F. Street Frontage Required: Any lot or tract used for residential purposes shall have at least twenty (20) feet of frontage on a public road or private road designed for the proposed residential use.

G. Front Yard Building Line: No portion of the principal building may extend into the front yard setback, except projections such as eave overhangs, steps, exterior balconies, and awnings. Porches and decks that are open and unenclosed may encroach into the front yard setback no more than twenty percent (20%) of the total setback distance. When fifty (50%) percent or more of lots with frontage on the same side of the road is improved with buildings that have observed a greater or lesser depth of front yard building line than specified in the district area regulations, then the front yard setback line may be the average of the two building setback lines previously established on either side of the lot in question. This regulation shall not be interpreted to require a front yard of more than one hundred (100) feet in any "R-1" or "R-2" District, nor more than seventy-five (75) feet in any "C-1", "C-2", or "I" District. When the street is curved, the building setback line shall be parallel to the curve of the street and setback the required distance.

H. Zero Lot Line: In residential districts, single-family attached dwellings, two-family dwellings and townhouses may be sited on a lot line in such a manner that the lot line runs the entire length of the common wall separating the dwelling units. The front and rear yard setbacks shall be maintained, and the side yard for the end units shall conform to the district area regulations. In a "C-1" or "C-2" District, the building(s) may be sited on the side and/or rear yard lot line so long as the principal building is no closer than thirty-five (35) feet to a residential district or an adjoining residence lot line. Any new subdivision or resubdivision proposing the use of the zero lot line shall comply with the procedures of a site plan review by the Planning and Zoning Commission, as described in Section 6-29.

I. Height allowances for certain structures and appurtenances: Public buildings, hospitals, institutions, or schools, when permitted in a District, may be erected to a height not exceeding sixty (60) feet, and churches may be erected to a height not exceeding eighty (80) feet if the building is set back from each yard line at least one (1) foot for each foot of additional height above the height limit otherwise provided in the District in which the building is located.

The height of communication towers shall be reviewed and approved in conjunction with the Special Use Permit and approved using the criteria established in Section 6-30. The height of all structures and appurtenances for any development in the I or I-F zoning districts will be reviewed and approved at the time the zoning district is established in accordance with the applicable regulations.

J. Bulk and Solar Access: The area, setback, and height requirements of the district regulations are not be to construed to allow a building or structure on a lot or tract to block the access to the sky and sun on adjoining property. Each residential property shall have sufficient solar access to meet at least half of the energy requirements of the principal building, structure, or use.

K. Grading Plans Required: Prior to disturbing more than one acre of land for non-agricultural purposes, the owner/contractor shall submit grading plans and obtain approval of a Grading Permit. Such purposes include grading land to prepare land for future non-agricultural uses; clearing trees, bushes, and ground cover from

conservation and rough lands; constructing roads for future areas of development; preparing a site for a pond (not for agricultural purposes); and any other non-agricultural development . The grading plan must be designed to keep annual soil loss to less than five (5) tons per acre and retain eighty percent (80%) of the sediment on-site. The plan must be submitted to and receive approval from the Department of Planning and Development with the technical advice of the Natural Resources Conservation Service. If no plan is received prior to disturbing the land, it will be treated as a zoning violation. The owner/contractor shall have seven (7) days to comply when notified of the violation. The applicant must also receive approval of the Iowa Department of Natural Resources Stormwater Discharge Permit prior to commencing any disturbance of greater than one acre. A copy of the State permit and plan must be filed with the Department of Planning and Development. Extraction operations are exempt from these regulations, but must comply with State Administrative rules.

L. Construction Permits to Comply with Zoning District Regulations: Prior to approval of any construction permit application in unincorporated Scott County, such application shall be reviewed for compliance with all applicable requirements of the Zoning Ordinance.

M. Buildings Moved onto Property: Prior to transporting a building having a size in excess of 120 square feet onto a lot or tract of land, the property owner or contractor must obtain a building permit. After the building arrives on the property, the building permit holder must place the building on a permanent approved foundation within sixty (60) days, in accordance with the Scott County Construction Codes.

N. One Principal Building to a Lot: Every building hereafter erected or structurally altered shall be located on a lot, as defined herein, and in no case shall there be more than one (1) single-family residence or duplex on a single lot or tract of land except under the following conditions:

(1) An approved temporary mobile home on a farmstead or residential lot may be located on the same lot as the primary residence.

(2) A subordinate residence approved with a Special Use Permit or a second residence with an approved farmstead split created with a Plat of Survey.

(3) More than one (1) industrial, commercial, multi-family dwelling or institutional principal building may be erected on a single lot or tract, but all such buildings must be located in compliance with the setback requirements of the applicable district regulations.

O. Mobile Homes and Travel Trailers: Mobile Homes are only allowed in approved Mobile Home Parks, established through the provisions in Section 6-25; or under the provisions for legal temporary location outside of an approved Park, as provided for in Section 6-25.H.(15). Travel Trailers are only allowed in approved Travel Trailer Parks, established through the provisions in Section 6-26; as well as on a limited basis in approved Mobile Home Parks, as established through the provisions in Section 6-25. Under no other circumstances is a travel trailer to be used for occupancy or residence purposes when located outside of an approved Mobile Home or Travel Trailer Park unless a temporary mobile home permit has been approved for that particular location.

P. Basement or Cellar: A basement or cellar shall not be used for business or dwelling purposes unless it complies with the egress, ventilation, lighting and other applicable requirements of the Scott County Construction Codes.

Q. Subdivision Required: Any unplatted tract of land recorded as of January 1, 1978 that is repeatedly or simultaneously subdivided into three (3) or more parts shall have the plat of such subdivision approved by the Board of Supervisors as provided in the Scott County Subdivision Ordinance.

R. Water Supply and Sewage Disposal: Every residence, business, trade, or industry hereafter established, shall provide water supply and sewage disposal facilities which conform with the administrative rules of the Iowa Department of Health, the Well and Sewage Regulations of the Scott County Board of Health, and the Subdivision Ordinance.

S. Visual Clearance: In all Districts, no fence, hedge, vegetation, wall, sign, earth, or other obstruction shall be permitted which obstructs the clear view of approaching vehicles between three-and-one-half (3½') feet and fifteen (15') feet above the traveled portion of a public or private roadway or street. In subdivisions, the visual clearance shall be determined by the area within a triangle formed by the center of the intersection or the axis point of a road bend in excess of seventy (70) degrees and points one hundred (100) feet from the center of the intersection where measured along the centerlines of the road. The triangle for County roads, intersections, or road bends (arterials, collectors, local), which have adjacent residences, shall be from the center of the intersection or axis point one hundred fifty (150) feet along the centerlines of the intersecting roads, except those areas which have been obtained by the Secondary Roads Department for a clear vision area.

T. Fences and Walls: Fences and walls will only be allowed which do not obstruct traffic visibility. Any non-farm fence or wall exceeding six feet in height shall obtain a building permit. Fences are prohibited in a road right-of-way. No fence may be constructed which obstructs the visibility of adjacent driveways, streets or road intersections. Any proposed fence which exceeds the height limits identified below shall be reviewed in accordance with the provisions and criteria for a Special Use permit established in Section 6-30

(1) In an "A-P", "A-G", "R-1", CAD-R, or "R-2" District, fences and walls are permitted within the limits of the side and rear yards to a maximum of six (6) feet in height. In a front yard a fence not exceeding three-and-one-half (3½) feet in height is permitted, unless it obstructs the visibility clearances of any adjacent driveway or street.

(2) In a "A-CSF", "CAD-PVC", "C-1", "C-2", "I", or "I-F" District, fences and walls are permitted within the limits of the side and rear yards to a maximum height of ten (10) feet. In a front yard a fence not exceeding three-and-one-half (3½) feet in height is permitted, unless it obstructs the visibility clearances of any adjacent driveway or street. In new developments, solid material fences will be constructed to surround outside storage of parts, supplies, refuse, and the like. No fences may be constructed which obstruct the visibility of road intersections

(3) In all cases, fences shall be constructed with the best side facing the neighboring land user. Best side is generally intended to mean paneling or other coverage of the fence framing members. Such coverage which occurs at a minimum on one-half of the side facing the neighboring property owner shall be considered in compliance with this "best side" requirement.

(4) Any exterior swimming pool with a design capacity of more than 5,000 gallons and a depth of greater than eighteen (18) inches shall obtain a building permit and have a

continuous barrier, wall or fence of at least four (4) feet in height. All gates shall have an interior self-closing latch.

U. Accessory Buildings: Unless specified elsewhere in the Ordinance, these regulations shall apply to all accessory buildings in all zoning districts. Any accessory building shall meet the standards for permitted accessory uses for zoning district in which it lies, in addition to complying with the provisions of this Section.

(1) Any accessory building shall be located in a side or rear yard, and meet the setback requirements listed in the applicable district regulations. An accessory building(s) may be located in a front yard in cases where the accessory building meets or exceeds the minimum required front yard setback for principal buildings on the property. The provision allowing accessory buildings in front yards shall also apply to corner and double frontage lots with multiple front yards.

(a) Corner Lots: The above provision applies to corner lots – an accessory building may be allowed in any defined front yard of a corner lot so long as it meets or exceeds the required front yard setback for the principal building on the lot.

(b) Double Frontage Lots: As defined, a double frontage lot may have an accessory building(s) in the front yard as long as it meets or exceeds the required front yard setback for the principal building on the lot.

(2) Setback Requirements: The minimum required side and rear yard setback distance for accessory buildings shall be equal to the minimum required side yard setback for the principal building, structure, or use. For any lot of record or lot having less area, lot width or other required area dimensions, or less setback spacing than herein required at the time of effective date of this Ordinance, the minimum required rear and side yard setback distance for accessory buildings shall be no less than (5) feet.

(3) Area Coverage Restrictions: In complying with the accessory building regulations of this Section and Ordinance, no accessory building(s) or structure(s) shall occupy more than twenty percent (20%) of a property's total rear yard area.

(4) Additional Accessory Building Regulations:

(a) Mobile homes may not be classified or used as accessory buildings.

(b) No accessory building may contain or be used as a dwelling unit unless a second residence is approved with a Special Use Permit or a second residence is created with farmstead split by an approved Plat of Survey.

(c) Satellite antennas exceeding three (3) feet in diameter require a building permit. In residentially zoned areas (R-1, R-2, and CAD-R), satellite antennas of any size may not be located in a front yard, may not exceed the height of the peak of the house unless the building inspector determines there is no alternative, and limited to one (1) per lot or tract. Existing satellite antennas, as of the adoption date of this amendment, are exempted from this restriction.

(d) An accessory building may be built on the adjoining subdivision lot or tract, if both parcels are owned by the same individual, family, or firm, and the owner signs and records a "Restrictive Covenant and Agreement Not to Sever" in cooperation with the Department of Planning and Development.

(e) Any exterior swimming pool with a design capacity of greater than 5,000 gallons and a depth of greater than eighteen (18) inches shall be considered an accessory building and meet setback requirements.

V. Home Occupations and Home Industries: In A-P, A-G, R-1, R-2 and CAD-R home based businesses are permitted as an accessory use. Home Occupations and Home Industries as defined in Section 6-5 are allowed if in compliance with the following procedures and restrictions and other provisions of the regulations of the District in which such home based businesses are located. Proposed Home Occupations and Home Industries that exceed these conditions and restrictions shall be reviewed and may be approved in accordance with the provisions and criteria for a Special Use permit established in Section 6-30.

(1) The home business person shall apply in writing to the Zoning Administrator for approval of his/her home occupation or industry. The applicant shall provide information showing how the proposed business will comply with all of the restrictions stated within this subsection. If the application complies with the restrictions of this subsection, the Zoning Administrator will confirm the approval in writing to the applicant. For a home industry, the Zoning Administrator will also notify in writing landowners within 500 feet of the business facility of the approved home industry.

(2) The intent of these regulations is to allow businesses if they do not conflict or distract from adjacent landowners' use of their land or cause unnecessary damage to public roads. Therefore, the home occupation or home industry must be conducted entirely within the home if it is a home occupation or the home and/or accessory building if it is a home industry, so there is no evidence, apart from permitted signage, of such business being conducted on the premises due to visible storage of materials, excessive noise, obnoxious odors, electrical disturbances, or considerable increase in vehicular traffic. Home industries are allowed in "A-P" and "A-G" and may include assembly, processing, fabrication, sale and repair of cars, light trucks, agriculture equipment and household appliances, warehousing and distribution, lawn service, contractors' equipment storage, and sales of products prepared on site. All hazardous wastes, by-products, and emissions must be stored and/or disposed of in conformance with Federal, State, and local regulations. The home industry facility must be located more than 500 feet from the nearest neighbor's residence, business or farming operation. Junk material and unassembled parts and equipment may be stored in the rear yard of a home industry if it is entirely enclosed with solid fence material, no larger than 1000 square feet in area, and not visible from adjoining properties or roads.

(3) The business shall provide no more than four (4) designated, yet inconspicuous parking spaces on the premises outside the road right-of-way. An application may be denied if the type of vehicular traffic using the County or private roads leading to the site will cause increased dust problems or damage to the road(s), as determined by the County Engineer and the Zoning Administrator.

(4) One advertising sign is permitted on the premises with the following requirements. The sign shall be:

- (a) Not larger than six (6) square feet in area for each sign face; and
- (b) Placed flat against any one side of the building; or
- (c) Posted within ten (10) feet of the building; or
- (d) Posted no closer than fifty (50) feet from the road right-of-way if the building is located behind the fifty (50) foot building setback line; and
- (e) Not illuminated.

(5) For home occupations, no more than one (1) non-resident employee is allowed. For home industries, the limit shall be four (4) non-resident employees, whether full or part-time. In addition, only four (4) employee vehicles are allowed on the site at one time and all on-site work must occur inside the home or accessory building(s).

(6) No more than twenty-five percent (25%) of the floor area of the residence may be devoted to the business in the home. For a home industry, no more than 2,400 square feet of accessory building may be devoted to the business.

6-7 NON-CONFORMING USES

General Intent: Within the districts established by this Ordinance or amendments that may later be adopted, there may exist lots, structures and uses of land and structures which were lawful before this Ordinance was passed or amended but which would be prohibited, regulated or restricted under the terms of this Ordinance or future amendments. It is the intent of this Ordinance to allow nonconforming uses to continue until their normal expiration, but subject to the nonconforming performance standards, also to encourage their removal.

A. A nonconforming use of land, a nonconforming use of a structure, or a nonconforming use of land and a structure in combination shall not be extended or enlarged after the date of the passage of this Ordinance, except for single family dwellings. A non-conforming use may continue so long as it remains otherwise lawful, subject to the following provisions:

(1) No such nonconforming use, except single family dwellings, shall be enlarged nor increased nor extended to occupy a greater area of land than was occupied at the effective date of adoption or amendment of this Ordinance.

(2) No such nonconforming use, except single family dwellings, shall be moved in whole or in part to any other portion of the lot or parcel occupied by such use.

(3) If any such nonconforming use of land ceases for any reason for a period of more than one (1) year, any subsequent use of such land shall conform to the regulations specified by this Ordinance for the district in which such land is located.

(4) No existing nonconforming use of a structure devoted to a use not permitted by this Ordinance in the District in which it is located, except a single-family residence, may be enlarged, extended, re-constructed, structurally altered, or re-established except in changing the use of the structure to a use permitted in the District in which it is located.

(a) The exception for single-family dwellings includes such dwellings located on farmstead parcels in agricultural zoning districts.

(b) The exception for single-family dwellings allows for the enlargement, extension, reconstruction, alteration, and re-establishment of the use, but does not exempt any such structures from Section 6-7.B (following) regarding any nonconformity in physical location of such structures on a lot.

B. A nonconforming structure, by reason of restrictions on setbacks, area, lot coverage, height, yards or other characteristics of the structure or its location on the lot, shall not be extended or enlarged, except as herein provided, after the date of the passage of this Ordinance. Such structure may be continued for as long as it remains otherwise lawful, subject to the following provisions:

(1) No such structure may be enlarged, altered, or moved in a way that increases its nonconformity.

(2) Should such structure be destroyed by any means to an extent of more than fifty percent (50%) of its assessed value at the time of destruction, it shall not be reconstructed except in conformity with the provisions of this Ordinance.

(3) Nothing in this Ordinance shall prohibit the maintenance and repair of nonconforming structures to keep such a structure in sound and safe condition, provided that no structural enlargement, extension, alteration or change shall be made to increase the degree of nonconformity, and so long as the cost of the cumulative improvements of any such maintenance and repairs do not exceed fifty percent (50%) of the structure's assessed value.

C. Nonconforming Lots of Record

(1) In any district in which single-family dwellings are permitted, notwithstanding limitations imposed by other provisions of this Ordinance, a single-family dwelling and customary accessory buildings may be erected on any single lot of record at the effective date of adoption or amendment of this Ordinance. Such lot must be in separate ownership and not of continuous frontage with other lots in the same ownership.

(2) If two or more lots or combinations of lots and portions of lots with continuous frontage in single ownership are of record at the time of passage or amendment of this Ordinance, and if all or part of the lots do not meet the requirements for lot width and area as established by this Ordinance, the land involved shall be considered to be an undivided parcel for the purposes of this Ordinance, and no portion of said parcel shall be used or sold which does not meet lot width and area requirements established by this Ordinance,

nor shall any division of the parcel be made which leaves remaining any lot width or area below the requirements stated in this Ordinance.

6-8. ESTABLISHMENT OF DISTRICTS AND DISTRICT BOUNDARIES

A. Establishment of Districts: In order to carry out the purpose and intent of this Ordinance and the Comprehensive Plan, the unincorporated area of Scott County, Iowa is hereby divided into Zoning District classifications, which supersede all earlier versions of the Official Zoning Map and established districts:

"A-P" Agricultural-Preservation District

"A-G" Agricultural-General District

"ACS-F" Agriculture Commercial Service Floating District

"R-1" Single-Family Residential District

"R-2" Multi-Family Residential District

"CAD-R" Community Area Development Residential District

"CAD-PVC" Community Area Development Park View Commercial District

"C-1" Neighborhood Commercial District

"C-2" Commercial and Light Industrial District

"I" Industrial District

"I-F" Industrial Floating District

"SW-F" Solid Waste Disposal Site Floating District

"FW" Floodway Overlay District

"FF" Floodway Fringe Overlay District

"GF" General Floodplain Overlay District

B. District Boundaries and Official Zoning Map: With the exception of the Flood Plain Overlay Districts, the boundaries of these Districts are indicated upon the Official Zoning

Map of Scott County, Iowa; which map is made a part of this Ordinance by reference. The Official Zoning Map of Scott County, Iowa, and all the notations, references and other matters shown thereon shall be as much a part of this Ordinance as if the notations, references, and other matters set forth by said map were all fully described herein. The Official Zoning Map is known as the Digital Official Zoning Map, and shall be kept in the Scott County Information Technology database. The Map and amendments to it are kept current and on file in the office of the Scott County Zoning Administrator.

If in accordance with the provisions of this Ordinance, changes are made in the district boundaries or other matters portrayed on the Official Zoning Map, the ordinance number and date shall be recorded by the Zoning Administrator.

C. Interpretation of District Boundaries: In cases where the exact location of a district boundary (other than a Flood Plain Overlay District) is unclear as shown on the Official Zoning Map in the office of the Zoning Administrator, the boundaries indicated as approximately following streets and highways shall be construed to follow such center line; that boundaries indicated as approximately following platted lot lines or city limit boundaries; that boundaries indicated as following the center lines of rivers, streams, and creeks shall be construed to follow such center lines; that boundaries indicated as following railroad lines shall be construed to be midway between the main tracks, and that boundaries indicated as following section lines, quarter-section lines, or quarter-quarter section lines shall be construed as following such lines. Distances not specifically indicated on the Official Zoning Map shall be determined by scaling the distance on the Map.

D. Flood Plain Overlay Map: The boundaries of the flood plain overlay districts shall be the same as shown on the Flood Insurance Rate Maps, which were issued by the Federal Emergency Management Agency. The Flood Insurance Rate Maps (FIRM) for Scott County and Incorporated Areas, dated February 18, 2011, which were prepared as part of the Scott County Flood Insurance Study, are hereby adopted by reference and declared to be the Official Flood Plain Zoning Map for unincorporated Scott County. The flood profiles and all explanatory material contained with the Flood Insurance Study are declared to be part of this ordinance. These maps are hereby adopted by reference as the Official Flood Identification Maps, together with the accompanying Flood Insurance Study and all explanatory material therein. These maps shall have the same force and effect as if they were all fully set forth or described herein. Subsequent amendments to these maps and Flood Insurance Study shall be adopted through the procedures established herein.

The flood plain overlay districts shall include the corresponding designated areas identified on the Flood Boundary and Floodway Map as indicated below:

"FW" The designated Floodway on Flood Boundary and Floodway Map.

"FF" The designated Floodway Fringe on Flood Boundary and Floodway Map.

"GF" The areas shown on Flood Boundary and Floodway Map as being within the approximate 100-year flood boundary, but for which the floodway and floodway fringe and base flood elevation were not determined by the Flood Insurance Study. The maps are available for review in the office of the Scott County Department of Planning and Development.

E. Interpretation of Flood Plain Map Boundaries: The boundaries of the Floodway (FW), Floodway Fringe (FF), and General Flood Plain (GF) Overlay Districts shall be determined by scaling distances on the Official Flood Identification Maps.

Where interpretation is needed to determine the exact location of the boundaries of the districts as shown on the maps, as for example where there appears to be a conflict between a mapped boundary and actual field conditions, the Zoning Administrator shall make the necessary interpretation. The regulatory flood elevation for the point in question, as reported in the Flood Insurance Study, shall be the governing factor in locating the district boundary on the land. Any person contesting the location of the district boundary shall be given a reasonable opportunity to present his case to the Board of Adjustment, as provided in Section 6-30, and to submit his own technical evidence if he/she so desires. Any person contesting the regulatory flood elevation data in the Flood Insurance Study shall submit technical evidence to the Iowa Department of Natural Resources for review. The findings of the Iowa Department of Natural Resources shall be the final determination as to the regulatory flood protection elevation for that location.

ZONING DISTRICT REGULATIONS

6-9. "A-P" AGRICULTURAL-PRESERVATION DISTRICT

A. General Intent: The "A-P" Agricultural-Preservation District is intended and designed to protect agricultural operations and preserve agricultural land from encroachment of urban development. This District is not intended for residential uses or rural subdivisions, except as provided through a valid farmstead split; nor for commercial or industrial uses, except as provided through the provision for overlay districts.

B. Principal Permitted Uses:

(1) Farms, farming, and farmhouses as defined in Section 6-5 Definitions. Generally farms, farm buildings, and farm houses, which are primarily adapted for agricultural purposes, are exempt from county zoning regulations (See Section 6-4 Farm Exemptions).

(2) Horticultural operations, including sod farms, tree nurseries, and wholesale plant nurseries.

(3) Public and private parks, forests, wildlife preserves, and conservation areas.

(4) Private horse stables providing that any such structure built to accommodate horses must be located in a side or rear yard if there is also a principal residence on the property.

(5) Franchised electric transmission and gas/commodity pipe lines and associated structures and equipment, including substations. All structures of the utilities which exceed 35 feet shall be located where disruption of agricultural, residential or commercial activity is minimized. The base of towers shall be located at least the distance of the height of the tower from any existing, and adjacent neighboring structure(s).

(6) Single-family homes on platted lots in existing subdivisions and auditor's plats, or on parcels of less than fifteen (15) acres in size, any of which have been recorded in the Scott County Recorder's Office, as of April 2, 1981, or a valid farmstead split from the surrounding farmland under the provisions of Section 6-6.B. Splitting the Farmstead from Farm.

C. Accessory Permitted Uses:

(1) Accessory uses customarily incidental to any principal use within this District. Only one commercial vehicle may be parked and/or stored on the property unless it is used in conjunction with an approved home business. Accessory uses not permitted include, but are not limited to, the following uses: the visible accumulation of domestic junk such as vehicular parts, tires, trailers, or salvaged building materials, broken or junk appliances, and other sorts of junk, salvage or debris covering more than 200 square feet of area (cumulative for individual properties). In staying within the allowable 200 square feet, no individual junk, salvage, or debris pile shall exceed six (6) feet in height. Two (2) or more junk vehicles on subdivision lots or three (3) or more junk vehicles on farmstead parcels shall also be a prohibited accessory use (See Section 6-5.61. Junk Vehicle). Any accessory commercial use which is not approved as a home business as outlined in Section 6-6.V. is not permitted.

(2) Home occupations and home industries in compliance with the requirement of Section 6-6.V.

(3) Roadside stands offering for sale primarily products grown on the premises. Such stands shall be removed during any season or period when they are not being used.

(4) Private kennel.

(5) Small wind generators with rated capacity of not more than 100 kilowatts and associated structures and equipment with the following restrictions:

(a). The base of the structure shall be set back from all property lines and road easements a minimum distance equal to the height of the tower including rotor and/or blades;

(b) The maximum height of the wind turbine generator shall be 80 feet;

(c) The ground clearance for the rotors or blades shall be no less than fifteen (15) feet or one-third (1/3) the height of the tower whichever is greater;

(d) The maximum noise level produced by the wind generator shall be no more than 50 decibels as measured at the property line.

(e) The wind turbine shall not cause vibration perceptible beyond the property on which it is located nor interfere with television, microwave, navigational or radio transmission;

(f) The wind turbine shall be constructed in accordance with plans prepared and stamped by registered professional engineer.

D. Special Permitted Uses: The following special uses may be permitted upon review by the Board of Adjustment in accordance with the provisions contained in Section 6-30.

(1) Communication towers and antennas, with the Board of Adjustment considering the following:

(a) Any equipment cabinet or building shall be adequately screened from nearby residential uses;

(b) Co-location shall be preferred over new tower construction;

(c) The tower shall be removed when the use of the tower has ceased for one (1) year or greater.

(d) When the party establishing the use does not own the property on which it is to be constructed or installed, the applicant shall provide a signed lease agreement, which shall include provisions for decommissioning and removal of the tower and equipment at the end of the lease term or when the tower is no longer in use;

- (e) The applicant shall provide documentation of compliance with any applicable regulations of the National Environmental Policy Act (NEPA), National Historic Preservation Act (NHPA), and/or the Federal Aviation Administration (FAA).
- (2) Sites for music events, sports events, commercial exhibitions and carnivals lasting no more than three continuous days per event and no more than six events per year.
- (3) County or municipal facilities.
- (4) Temporary asphalt and concrete mixing plants, where applicant can show that the plant will be temporary, will be completely removed when operations cease, will serve a clear public need, and will not disturb the adjoining property owners.
- (5) Extraction, primary material processing and removal of coal, stone, gravel, sand, clay, topsoil, or ores on more than two (2) acres of land. Such mining or extraction shall be in compliance with Chapter 208, 2015 Code of Iowa, if applicable. The Board of Adjustment will look to determine how the operation will minimize fugitive dust, protect hazardous areas from neighborhood children, protect farm ground with a CSR above 68 for future agricultural production, and locate only where County roads are adequate to handle the increased truck traffic. The applicant will submit a soil erosion control plan. Additional restrictions may apply if a permanent body of water is created. If the extraction of materials other than topsoil does not create a permanent water body, topsoil shall be stockpiled and returned to reclaim the land for future crop production once the operation ceases for more than one (1) year. Primary material processing shall not take place closer than 1,000 feet from an existing residential district or neighboring residence. Secondary material processing where raw material is sorted, graded, or mixed to make a commercial product is only allowed in an "I" Industrial District.
- (6) Public stables where the building and exercise yard is at least five hundred (500) feet from the closest neighboring residence or residential zoning district.
- (7) Bed and breakfast homes.
- (8) Education facilities (public and private schools) on less than five (5) acres of land.
- (9) Solid waste transfer station provided the operation occurs on less than five (5) acres, is screened from the public, and is operated in conjunction with the Scott Area Solid Waste Management Commission.
- (10) Private, non-commercial airstrips and helicopter landing zones, provided there are no obstructions to flight, the airstrip is no longer than 2,000 feet, and the use is compatible to neighboring land uses.
- (11) One attached or detached dwelling unit subordinate to the existing dwelling unit, provided that the new dwelling unit meets all building and fire codes and zoning area and setback requirements, that there is unobstructed access to the new dwelling unit for emergency vehicles, and that the County Health Department approves the sewage and water systems.
- (12) Commercial kennels and veterinary businesses but not nearer than five hundred (500) feet from any zoned residential district, incorporated boundary line or dwelling other than the lessee or owner of the site.
- (13) Home occupations and home industries that exceed the requirement of Section 6-6.V. and reviewed under the procedures and criteria of Section 6-30.C. (2)
- (14) Large wind generators with rated capacity of more than 100 kilowatts and associated structures and equipment with the following restrictions:

- (a) The base of the structure shall be set back from all property lines and road easements a minimum distance equal to the height of the tower including rotor and/or blades.
- (b) The maximum height of the wind turbine generator shall be 199 feet;
- (c) The ground clearance for the rotors or blades shall be no less than 25 feet or 1/3 the height of the tower whichever is greater
- (d) The maximum noise level produced by the wind generator shall be no more than 50 decibels as measured at the property line.
- (e) The wind turbine shall not cause vibration perceptible beyond the property on which it is located nor interfere with television, microwave, navigational or radio transmission;
- (f) Shall be constructed in accordance with plans prepared and stamped by a registered professional engineer.

E. Minimum Lot Area, Lot Width, Setback, & Maximum Height Requirements

Principal Building

Lot Area	Lot Width	Front Yard	Side yard	Rear Yard	Max Stories	Max Height
30,000 sq ft	100 ft	50 ft	10 ft	40 ft	2½	35 ft

Accessory Buildings

Lot Area	Lot Width	Front Yard	Side yard	Rear Yard	Max Stories	Max Height
N/A	N/A	50 ft	10 ft	10 ft	2	35 ft

6-10. "A-G" AGRICULTURAL-GENERAL DISTRICT

A. General Intent: The "A-G" Agricultural-General District is intended to act as a holding zone to protect agricultural operations and preserve agricultural land until a compatible development proposal is approved through special use permits or rezoning. This District is not intended for residential uses or rural subdivisions, except as provided through a valid farmstead split. This District does allow for a limited number of public and private uses, such as churches and schools, as permitted uses. It also allows some commercial or industrial uses as provided through the provision for overlay districts.

B. Principal Permitted Uses:

- (1) Any use permitted in the "A-P" Agricultural-Preservation District.
- (2) Religious, charitable, philanthropic facilities including churches or other places of worship, parish houses, Sunday school buildings and bulletin boards.
- (3) Cemeteries.
- (4) Parks, playgrounds, golf courses, both public and private, recreational facilities for private, non-profit service organizations including, but not limited to, Boy and Girl Scout Camps and church camps.
- (5) Schools, both public and private educational institutions; preschool and day care facilities operating no more than 6 A.M. to 8 P.M. daily; providing that a single-family dwelling also may be co-located for use by the landowner or custodian.
- (6) Governmental buildings and facilities.

C. Accessory Permitted Uses:

- (1) Accessory uses customarily incidental to any principal use within this District, and also including any accessory uses permitted in an "A-P" District using the same restrictions.

D. Special Permitted Uses: The following special uses may be permitted in the "A-G" District upon review by the Board of Adjustment in accordance with the provisions contained in Section 6-30.

(1) Any special use permitted in an "A-P" District.

(2) Travel Trailer Parks established in accordance with Section 6-26.

E. Minimum Lot Area, Lot Width, Setback, & Maximum Height Requirements

Principal Building

Lot Area Lot Width Front Yard Side yard Rear Yard Max Stories Max Height

30,000 sq ft 100 ft 50 ft 10 ft 40 ft 2½ 35 ft

Accessory Buildings

Lot Area Lot Width Front Yard Side yard Rear Yard Max Stories Max Height

N/A N/A 50 ft 10 ft 10 ft 2 35 ft

6-11. "ACS-F" AGRICULTURAL COMMERCIAL SERVICE FLOATING DISTRICT

A. General Intent: The "ACS-F" Agriculture Commercial Service Floating District is intended and designed to serve the agriculture community by allowing agriculture commercial service development to locate in certain unincorporated areas. The site plan approval will occur in conjunction with the rezoning review and approval. The standards, criteria and conditions of approval will be applied, as deemed appropriate and applicable, during the rezoning review and approval process.

Any existing land zoned "A-F" Agriculture Service Floating Zone at the time and date of adoption of this Ordinance shall be classified as "ACS-F" Agriculture Commercial Service Floating District on the Official Zoning Map and may continue as the established use. Any re-occupancy, change in use or new development of such property would be subject to the review in accordance with the requirements of the "ACS-F" Agriculture Commercial Service Floating District.

B. Principal Permitted Uses:

(1) Agriculture feed mixing and blending, seed sales, and grain handling operations.

(2) Retail outlet for fertilizer and pesticides including mixing, blending and storage.

(3) Storage and distribution of anhydrous ammonia.

(4) Large animal veterinary businesses.

(5) Livestock transfer station.

(6) Livestock sale and auction barn.

(7) Ag commodities and logistics businesses involving the local transportation of grain, feed, fertilizer, livestock, and other agricultural commodities.

(8) Other agricultural commercial service uses which are determined by the Planning and Zoning Commission to be of a similar and compatible nature to the above uses.

C. Accessory Permitted Uses:

(1) Accessory uses which are incidental, and determined by the Planning and Zoning Commission to be of a similar and compatible nature to the approved permitted use.

D. Special Permitted Uses: None.

E. Criteria for Land to be Rezoned "ACS-F":

(1) The proposed facility shall be defined as including the buildings, improvements, maneuvering and parking area, and storage area which are graveled or paved. The facility must be located on a tract of ground where the main entrance to the facility is on or within 660 feet of a paved public road.

(2) The entrance to the facility must have at least 1,000 feet line of sight in both directions on the public road. The County Engineer will approve the location of the main entrance in accordance with the Iowa Department of Transportation standards and specifics and Appendix I of the Scott County Subdivision Ordinance.

(3) The separation spacing between the facility and any property line shall be at least 50 feet. The separation spacing to the closest neighbor's home and accessory buildings shall be at least 400 feet at time of application. The separation spacing to a residential zoning district shall be at least 400 feet.

(4) The facility must not be located in a designated 100-year floodplain or within 200 feet of any river, stream, creek, pond, or lake or 400 feet of another environmentally sensitive area, park, or preserve.

(5) The minimum lot size shall be one (1) acre.

(6) Facility shall be surrounded by an adequate security system to deny public access to potentially hazardous areas.

(7) Advertising signs shall not be larger than 100 square feet.

(8) Underground storage shall not be allowed on site.

F. Procedure for Rezoning Parcel of Land to "ACS-F".

(1) Developer/landowner shall apply to the Planning and Zoning Commission for approval of a specific development plan involving one of the principal permitted uses listed in paragraph "B" above. The Planning and Zoning Commission will hold a rezoning public hearing before making a recommendation to the Board of Supervisors.

(2) Developer shall apply for and secure all required State and federal permits for the proposed development and provide copies of the application to the staff for review.

(3) The Board of Supervisors will receive the Commission's recommendation plus information received during the Commission public hearing process and will hold a rezoning public hearing in accordance with Section 6-31.B.(3) Zoning Amendment Procedures. Based on the Commission recommendation, County staff comments, a review of the required State permit applications, and comments from the applicant and the public, the Board may approve or deny the application. If approved, the conditions of site plan approval will be included with the ordinance changing the zoning.

If the applicant's application is adopted by the Board of Supervisors, the Zoning Administrator shall update the zoning map to show the specific location of the "ACS-F" district (including the separation spacing).

G. Minimum Lot Area, Lot Width, Setback, & Maximum Height Requirements

Principal Building

Lot Area Lot Width Front Yard Side yard Rear Yard Max Stories Max Height

1 acre 200 ft 50 ft 50 ft 50 ft 2 35 ft

Accessory Buildings

Lot Area Lot Width Front Yard Side yard Rear Yard Max Stories Max Height

N/A N/A 50 ft 50 ft 50 ft 2 35 ft

6-12. "R-1" SINGLE-FAMILY RESIDENTIAL DISTRICT

A. General Intent: The "R-1" Single-Family District is intended and designed to provide for the development of both low and medium density single-family subdivisions in the rural areas. All such subdivisions shall comply with the Scott County Subdivision Ordinance. This District is not intended for commercial uses. Any land rezoned to "R-1" shall be located on adequately constructed and paved County/State roads.

B. Principal Permitted Uses:

(1) Detached single-family dwellings. For lots of record the dwelling unit is subject to the setback regulations for lots of record in Section 6-6.E.

(2) Farms, farming and farmhouses (See Section 6-5 Definitions). Generally farms, farm buildings and farmhouses, which are primarily adapted for agricultural purposes, are exempt from County zoning regulations. (See Section 6-4 Agricultural Exemptions).

(2) Developmentally disabled group homes in compliance with Chapter 335.25 Code of Iowa (2015).

(4) Public and private parks and public and private conservation areas, but not to include commercial recreational uses.

C. Accessory Permitted Uses:

(1) Accessory uses customarily incidental to any of the permitted uses in this District. Only one commercial vehicle may be parked and/or stored on the property unless it is used in conjunction with an approved home business. Accessory uses not permitted include, but are not limited to, the following uses: the visible accumulation of domestic junk such as vehicular parts, tires, trailers, salvaged building materials, broken or junk appliances, and other sorts of junk, salvage or debris covering more than 100 square feet of area (cumulative for individual properties). In staying within the allowable 100 square feet, no individual junk, salvage or debris pile shall exceed six (6) feet in height. Two (2) or more junk vehicles on subdivision lots shall also be considered a prohibited accessory use (See Section 6-5.61. Junk Vehicle). Any accessory commercial use which is not approved as a home business as outlined in Section 6-6.V. is not permitted.

(2) Stables (private) providing they have stalls and feed for every horse and are located at least fifty (50) feet from a property line. The stable and exercise area must be located on a lot of at least one (1) acre, be located in the rear yard, and be screened from adjoining residential lots.

(3) Farm animals and poultry on residential lots, but only if adequately fenced or controlled, not to exceed one (1) feeder cattle per acre, one (1) mature dairy cow per 1.4 acres, two and a half (2-1/2) swine (over 55 lbs.) per acre, ten (10) sheep or lambs per acre, and fifty-five (55) turkeys and chickens per acre, or any combination that does not exceed the above animal unit multiplier. Such accessory uses must be operated to meet County Health standards. More restrictive deed restrictions supersede the above standard.

(4) Accessory utility services and equipment for use by adjacent properties.

(5) Home occupations in compliance with the requirements of Section 6-6.V.

(6) Private kennels.

D. Special Permitted Uses: The following special uses may be permitted in the "R-1" District upon review by the Board of Adjustment in accordance with the provisions contained in Section 6-30.

(1) Two-family dwelling units with a minimum lot size of thirty thousand (30,000) square feet.

(2) Townhouse dwelling units with a minimum lot size of fifteen thousand (15,000) square feet per unit.

(3) Schools, public and private educational institutions, plus a single-family dwelling, being subordinate to, and inhabited by an official from the educational use.

(4) Churches or other places of worship, including parish house, Sunday school building, and bulletin boards.

- (5) Roadside stands for seasonal sale of fruits and vegetables grown on the premises. Such stands shall be removed or secured during any season or period when they are not in use.
- (6) Franchised utility substations, including any mechanical buildings.
- (7) Preschools and day care facilities in the home, operating only between the hours from 6 A.M. to 8 P.M. daily.
- (8) Bed and breakfast homes.
- (9) Home occupations that exceed the requirements of Section 6-6.V. and reviewed under the criteria of Section 6-30.C.(2).
- (10) Small wind generators with the rated capacity of not more than 100 kilowatts and associated structures and equipment with the following restrictions:
 - (a) The base of the structure shall be set back from all property lines and road easements a minimum distance equal to the height of the tower including rotor and/or blades.
 - (b) The maximum height of the wind turbine generator shall be 80 feet;
 - (c) The ground clearance for the rotors or blades shall be no less than fifteen (15) feet or one-third (1/3) the height of the tower whichever is greater
 - (d) The maximum noise level produced by the wind generator shall be no more than 50 decibels as measured at the property line.
 - (e) The wind turbine shall not cause vibration perceptible beyond the property on which it is located nor interfere with television, microwave, navigational or radio transmission;
 - (f) Shall be constructed in accordance with plans prepared and stamped by a registered professional engineer.

E. Minimum Lot Area, Lot Width, Setback, & Maximum Height Requirements

Principal Building

Lot Area	Lot Width	Front Yard	Side yard	Rear Yard	Max Stories	Max Height
30,000 sq ft	100 ft	50 ft	10 ft	40 ft	2½	35 ft

Accessory Buildings

Lot Area	Lot Width	Front Yard	Side yard	Rear Yard	Max Stories	Max Height
N/A	N/A	50 ft	10 ft	10 ft	2	35 ft

6-13. "R-2" MULTI-FAMILY RESIDENTIAL DISTRICT

A. General Intent: The "R-2" Multi-Family Residential District is intended and designed to provide areas for mixed residential development, including single-family, two-family, and multiple-family dwellings. Any proposed two-family and multiple-family developments will require site plan review in conjunction with the subdivision review. It is intended that this District will be permitted only where common water supply and sewage collection and disposal systems are available. Multiple family dwellings will only be permitted on adequately paved roads where fire protection is readily available.

B. Principal Permitted Uses:

- (1) Single-family dwellings.
- (2) Two-family dwellings.
- (3) Multiple-family dwellings.
- (4) Farms, farming and farmhouses as defined in Section 6-5 Definitions. Generally farms, farm buildings and farmhouses, which are primarily adapted for agricultural purposes, are exempt from County zoning regulations. (See Section 6-4 Agricultural Exemptions).

- (5) Group housing with a minimum lot area of one (1) acre.
- (6) Health Care Facility, to include nursing homes and elder care facilities, with a minimum lot area of one (1) acre.

C. Accessory Permitted Uses:

(1) Accessory uses customarily incidental to any principal use within this District, and also including any accessory uses permitted in an "R-1" District using the same restrictions.

D. Special Permitted Uses: The following special uses may be permitted in the "R-2" District upon review by the Board of Adjustment in accordance with the provisions contained in Section 6-30.

- (1) Any special permitted use allowed in "R-1" District using the same restrictions.
- (2) Mobile Home Parks established in accordance with Section 6-25.
- (3) Travel Trailer Parks established in accordance with Section 6-26.

E. Minimum Lot Area, Lot Width, Setback, & Maximum Height Requirements

Principal Building

Lot Area	Lot Width	Front Yard	Side yard	Rear Yard	Max Stories	Max Height
1 or 2 family						
10,000 sq ft	100 ft	25 ft	10 ft	20 ft	2½	35 ft
Per unit						
Multi-family						
10,000 sq ft	200 ft	25 ft	15 ft	25 ft	3	45 ft
Plus 5,000 sq ft						
Per unit						
Accessory Buildings						
N/A	N/A	50 ft	10 ft	10 ft	2	35 ft

6-14. "CAD-R" COMMUNITY AREA DEVELOPMENT RESIDENTIAL DISTRICT

A. General Intent: The "CAD-R" Community Area Development Residential District is intended and designed to establish the regulations covering the residential areas of the two established CADs in Scott County, Village Oaks and Park View. In the areas shown as "Townhouses" and "Apartments" on the official colored master plan of 1966 entitled "Park View Scott County, Iowa" or any amendment thereto, the permitted uses, accessory uses and special permitted uses shall be the same as the "R-2" District, unless specified differently elsewhere in the Ordinance.

B. Principal Permitted Uses:

- (1) Single-family dwellings as shown on the approved Park View CAD Plan, 1966, as amended.
- (2) Townhouses and Apartments as shown on the approved Park View CAD Plan, 1966, as amended.
- (3) Churches and Schools as shown on the approved Park View CAD Plan, 1966, as amended.
- (4) Parks and Open Space as shown on the approved Park View CAD Plan, 1966, as amended.

C. Accessory Permitted Uses:

(1) Accessory uses customarily incidental to any of the permitted uses in this District. Only one commercial vehicle may be parked and/or stored on the property unless it is

used in conjunction with an approved home business. Accessory uses not permitted include, but are not limited to, the following uses: the visible accumulation of domestic junk such as vehicular parts, tires, trailers, salvaged building materials, broken or junk appliances, and other sorts of junk, salvage or debris covering more than 100 square feet of area (cumulative for individual properties). In staying within the allowable 100 square feet, no individual junk, salvage or debris pile shall exceed six (6) feet in height. Two (2) or more junk vehicles on subdivision lots shall also be considered a prohibited accessory use (See Section 6-5.60. Junk Vehicle). Any accessory commercial use which is not approved as a home business as outlined in Section 6-6.V. is not permitted.

(2) Home occupations in compliance with the requirements of Section 6-6.V.

(3) Private kennels.

D. Special Permitted Uses: The following special uses may be permitted in any established "CAD-R" District upon review by the Board of Adjustment in accordance with the provisions contained in Section 6-30.

(1) Home occupations that exceed the requirements of Section 6-6.V. and reviewed under the criteria of Section 6-30.C.(2)

E. Minimum Lot Area, Lot Width, Setback, & Maximum Height Requirements

Principal Building

Park View

Lot Area Lot Width Front Yard Side yard Rear Yard Max Stories Max Height
8,000 sq ft 80 ft 25 ft 5 ft 15 ft 2½ 35 ft

Village Oaks

Lot Area Lot Width Front Yard Side yard Rear Yard Max Stories Max Height
30,000 sq ft 100 ft 50 ft 10 ft 40 ft 2½ 35 ft

Accessory Buildings

Park View

Lot Area Lot Width Front Yard Side yard Rear Yard Max Stories Max Height
N/A N/A 25 ft 5 ft 5 ft 2 35 ft

Village Oaks

Lot Area Lot Width Front Yard Side yard Rear Yard Max Stories Max Height
N/A N/A 50 ft 10 ft 10 ft 2 35 ft

6-15. "CAD-PVC" COMMUNITY AREA DEVELOPMENT PARKVIEW COMMERCIAL DISTRICT

A. General Intent: The "CAD-PVC" Community Area Development Park View Commercial District is intended and designed to establish the regulations in areas designated "Commercial," "Office," or "Shopping Center" on the official colored master plan of 1966 entitled "Park View Scott County, Iowa" or any amendment thereto. The district is intended to serve the commercial, retail, office, and service needs of Park View residents and rural Scott County. It is not intended for light industrial or residential uses.

B. Principal Permitted Uses:

(1) Neighborhood retail commercial services, including but not limited to:

a. Retail sales and service businesses, including convenience stores with fuel sales, car washes, but no vehicle repair, painting or auto body work;

b. Restaurants and drinking establishments;

c. Financial institutions such as banks and savings and loan offices;

- d. Professional, administrative, service and general business offices;
- e. Medical offices, clinics and health care related facilities;
- f. Indoor recreational or entertainment businesses;
- g. Other uses, subject to site plan review, which are determined by the Planning and Zoning Commission to be of a similar and compatible nature to the above uses.

(2) Schools, public and private educational institutions, preschools and day care facilities.

(3) Churches or other places of worship, including parish house, Sunday school building, and bulletin boards.

C. Accessory Permitted Uses: Accessory uses customarily incidental to any allowed use within the district.

D. Special Permitted Uses: None.

E. Minimum Lot Area, Lot Width, Setback, & Maximum Height Requirements

Principal Building

Lot Area Lot Width Front Yard Side yard Rear Yard Max Stories Max Height

20,000 sq ft 130 ft 25 ft 5 ft 15 ft 3 35 ft

Accessory Buildings

Lot Area Lot Width Front Yard Side yard Rear Yard Max Stories Max Height

N/A N/A 25 ft 5 ft 5 ft 2 35 ft

6-16. "C-1" NEIGHBORHOOD COMMERCIAL DISTRICT

A. General Intent: The "C-1" Neighborhood Commercial District is intended and designed to provide for areas for office/commercial, commercial/service and retail businesses that serve the local community and are generally limited in size and scope. Such Districts will only be permitted on adequately constructed paved County/State roads.

B. Principal Permitted Uses:

(1) Farms, farming and farmhouses as defined in Section 6-5 Definitions. Generally farms, farm buildings and farmhouses, which are primarily adapted for agricultural purposes, are exempt from County zoning regulations. (See Section 6-4 Agricultural Exemptions).

(2) Dwelling units which are physically a part of, and subordinate to, a retail, office or service establishment, and which meet all County Health Department requirements.

(3) Neighborhood Retail Commercial Uses, in buildings not exceeding 5,000 square feet of floor area and without outdoor storage of materials, including but not limited to:

a. Retail sales and service businesses, including convenience stores with fuel sales, car washes, but no vehicle repair, painting or auto body work;

b. Restaurants and drinking establishments;

c. Financial institutions such as banks and savings and loan offices;

d. Professional, administrative, service and general business offices;

e. Medical offices, clinics and health care related facilities;

f. Indoor recreational or entertainment businesses;

g. Other uses, subject to site plan review, which are determined by the Planning and Zoning Commission to be of a similar and compatible nature to the above uses.

(4) Franchised utility substations, including any mechanical buildings.

C. Accessory Permitted Uses: Accessory uses customarily incidental to any allowed use within the District.

D. Special Permitted Uses:

(1) Schools, public and private educational institutions, and preschools and day care facilities

(2) Churches or other places of worship, including parish house, Sunday school building, and bulletin boards

(3) Bed and Breakfast homes.

E. Minimum Lot Area, Lot Width, Setback, & Maximum Height Requirements

Principal Building

Lot Area Lot Width Front Yard Side yard Rear Yard Max Stories Max Height

No sewer or water

1 acre 130 ft 25 ft 10 ft 20 ft 3 35 ft

W/sewer or water

20,000 sq ft 80 ft 25 ft 10 ft 20 ft 3 35 ft

Accessory Buildings

Lot Area Lot Width Front Yard Side yard Rear Yard Max Stories Max Height

N/A N/A 25 ft 10 ft 10 ft 2 35 ft

6-17. "C-2" COMMERCIAL AND LIGHT INDUSTRIAL DISTRICT

A. General Intent: The "C-2" Commercial and Light industrial District is intended and designed to provide areas for general commercial, highway commercial and light industrial uses intended to serve the needs of the County and the Quad Cities in areas along adequately constructed paved County/State roads.

B. Principal Permitted Uses:

(1) Any principal permitted use in the "C-1" District using the same restrictions.

(2) Retail and wholesale commercial sales and service businesses including outdoor storage of materials and equipment, with all outdoor storage screened from any adjacent road and residences.

(3) Financial institutions such as banks and savings and loan offices.

(4) Professional, administrative, service and general business offices.

(5) Medical office, clinics and health care related facilities.

(6) New and used vehicle sales and service including service and body shops but not including parts salvage or vehicle dismantling.

(7) Truck stops, truck terminals and trucking companies.

(8) Restaurants, drinking establishments and night clubs.

(9) Hotel-motel and tourist related service businesses.

(10) Indoor and outdoor recreational and entertainment businesses.

(11) Adult bookstores, adult video stores, adult motion pictures theaters, and sexual activity establishments subject to the following conditions:

a. Location: These uses shall not be located within one thousand (1000) feet of each other; not within one thousand (1000) feet of any public or private school, licensed day care facility, church, public park or residential district and not within five hundred (500) feet of any existing dwelling.

b. Restrictions: Sexual activity establishments shall not allow touching as defined in specified sexual activities between employees and between employees and patrons. All building openings, entries, windows, etc., for any of the above uses, shall be located, covered, or screened in such a manner to prevent a view into the interior from any public or semi-public areas and such display shall be considered as signs. Any of the

above activities which do not conform to the provisions set forth in this subparagraph shall be considered in violation of this Ordinance.

(12) Light industrial uses conducted entirely within an enclosed building and no excessive noise, dust and smoke beyond the property and all outdoor storage screened from any adjacent road and residences.

(13) Contractor office, storage and sales with all outdoor storage of equipment and materials screened from any adjacent road and residences.

(14) Warehouse, storage, rental business and services with all outdoor storage screened from any adjacent road and residences.

(15) Other uses, subject to site plan review which are determined by the Planning and Zoning Commission to be of a similar and compatible nature to the above uses.

C. Accessory Permitted Uses:

(1) Accessory uses customarily incidental to any permitted principal use within this District; including dwelling units physically attached and subordinate to such use, and which meet all County Health Department requirements.

D. Special Permitted Uses:

(1) Airport or commercial landing fields, for commercial and private aircraft and helicopters

(2) Communication towers and antennas, with the Board of Adjustment considering the following:

(a) Any equipment cabinet or building shall be adequately screened from nearby residential uses;

(b) Co-location shall be preferred over new tower construction;

(c) The tower shall be removed when the use of the tower has ceased for one (1) year or greater.

(d) When the party establishing the use does not own the property on which it is to be constructed or installed, the applicant shall provide a signed lease agreement, which shall include provisions for decommissioning and removal of the tower and equipment at the end of the lease term or when the tower is no longer in use;

(e) The applicant shall provide documentation of compliance with any applicable regulations of the National Environmental Policy Act (NEPA), National Historic Preservation Act (NHPA), and/or the Federal Aviation Administration (FAA).

(4) Mobile Home Parks established in accordance with Section 6-25.

(5) Travel Trailer Parks established in accordance with Section 6-26.

E. Minimum Lot Area, Lot Width, Setback, & Maximum Height Requirements
Principal Building

Lot Area	Lot Width	Front Yard	Side yard	Rear Yard	Max Stories	Max Height
----------	-----------	------------	-----------	-----------	-------------	------------

No sewer or water						
-------------------	--	--	--	--	--	--

2 acre	130 ft	50 ft	10 ft	20 ft	3	45 ft
--------	--------	-------	-------	-------	---	-------

W/sewer or water						
------------------	--	--	--	--	--	--

1 acre	130 ft	50 ft	10 ft	20 ft	3	45 ft
--------	--------	-------	-------	-------	---	-------

W/sewer & water						
-----------------	--	--	--	--	--	--

20,000 sq ft	100 ft	25 ft	10 ft	20 ft	3	45 ft
--------------	--------	-------	-------	-------	---	-------

Accessory Buildings

Lot Area	Lot Width	Front Yard	Side yard	Rear Yard	Max Stories	Max Height
----------	-----------	------------	-----------	-----------	-------------	------------

N/A	N/A	50 ft	10 ft	10 ft	2	35 ft
-----	-----	-------	-------	-------	---	-------

6-18. "I" INDUSTRIAL DISTRICT

A. General Intent: The "I" Industrial District is intended and designed to provide areas for industrial and/or commercial development of a more intense character. Prior to establishment of any such district adequate information shall be submitted regarding the effect of the proposed use on the adjoining property and area, the adequacy of the County road system to handle the anticipated traffic, any potential traffic hazards, 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. This district is intended to accommodate industrial uses other than those requiring an Industrial Floating Zone, and is intended to be established through the rezoning of existing commercial, industrial, or Agricultural General ("A-G") holding zone districts, excluding the Park View Commercial District ("CAD-PV"). It is not intended that this district be established through the rezoning of any existing residential district.

Any existing land zoned "M" Heavy Manufacturing at the time and date of adoption of this Ordinance shall be classified as "I" Industrial District on the Official Zoning Map and may continue as the established use. Any re-occupancy, change in use or new development of such property would be subject to the review and approval of a site plan in accordance with the regulations of Section 6-29 Site Plan Review.

B. Principal Permitted Uses: A building or premises may be used or occupied for a variety of purposes; provided the regulations listed in the following subsections are met:

(1) Any permitted use in the "C-2" District.

(2) Asphalt plants.

(3) Bulk tank storage plant facilities and other raw materials storage yards exceeding ten (10) acres in size.

(4) Concrete mixing and concrete products manufacturing.

(5) Secondary and tertiary processing of stone, sand, gravel, dirt, clay, and similar materials which require a fixed plant.

(6) Manufacture and assembly operations that are not conducted entirely within an enclosed building, that generate noise, smoke, odors and/or dust and that involve significant areas of outdoor storage of materials or finished products.

(7) Metal foundries

(8) Junk, salvage, or scrap metal yards. Junk, metal or rags, storage or baling, where the premises upon which such activities are conducted are wholly enclosed within a building, wall or solid fence not less than six (6) feet in height, completely obscuring the activity. Existing legal junk yards may continue operation, but must meet certain screening requirements within six (6) months of the effective date of this Ordinance. Such junk yards must comply with the fifty (50) foot setback requirements for all junk and scrap metal and must screen such material from the County road with solid material fence which screens all such junk and scrap metal. Such fence shall be a minimum six (6) feet high.

(9) Manufacture and wholesale storage of fertilizers exceeding ten (10) acres in size.

(10) Petroleum, liquid or gaseous, or its products, refining and wholesale storage.

(11) Meat packing, meat processing and rendering facilities or refining and wholesale storage.

(12) Other uses, subject to site plan review which are determined by the Planning and Zoning Commission to be of a similar and as intense in nature as the above uses.

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

D. Special Permitted Uses: Any special permitted uses allowed in C-2.

E. Required Conditions for Permitted and Accessory Uses in an "I" Zoning District:

(1) The best reasonable means for the disposal of refuse matter or water carried waste, the abatement of obnoxious or offensive odors, smoke, dust, gas, noise, or similar nuisance shall be employed.

(2) All buildings and accessory buildings or structures shall be located at least one hundred (100') feet from an "R-1" or "R-2" District boundary and not less than fifty (50') feet from any District except a "C-2" District.

(3) All uses which require heavy truck usage shall only be located on adequately constructed paved roads which avoid residential areas.

(4) Adequate safeguards shall be taken to fence or screen any on-site hazard from the public.

(5) All stormwater drainage shall meet all applicable local, state and Federal regulations and all existing agricultural drainage tiles and underground drainage system shall be maintained and remain unimpeded.

(6) The proposed location, design, construction and operation shall not diminish or impair established property values in adjoining or surrounding property.

F. Minimum Lot Area, Lot Width, Setback, & Maximum Height Requirements

Principal Building

Lot Area	Lot Width	Front Yard	Side yard	Rear Yard	Max Stories	Max Height
----------	-----------	------------	-----------	-----------	-------------	------------

No sewer or water						
-------------------	--	--	--	--	--	--

2 acre	150 ft	50 ft	20 ft	20 ft	3	TBD
--------	--------	-------	-------	-------	---	-----

W/sewer or water						
------------------	--	--	--	--	--	--

1 acre	150 ft	50 ft	20 ft	20 ft	3	TBD*
--------	--------	-------	-------	-------	---	------

W/sewer & water						
-----------------	--	--	--	--	--	--

20,000 sq ft	100 ft	25 ft	10 ft	20 ft	3	TBD*
--------------	--------	-------	-------	-------	---	------

Accessory Buildings

Lot Area	Lot Width	Front Yard	Side yard	Rear Yard	Max Stories	Max Height
----------	-----------	------------	-----------	-----------	-------------	------------

N/A	N/A	50 ft	10 ft	10 ft	2	TBD*
-----	-----	-------	-------	-------	---	------

*All building & structure heights to be determined and established with site plan review and approval.

6-19. "I-F" INDUSTRIAL FLOATING DISTRICT

A. General Intent: The "I-F" Industrial Floating District is intended and designed to provide areas for very large scale industrial and commercial development of a more intense character than is allowed in other commercial, or light industrial zoning districts. The District is also intended to accommodate very large scale industrial/commercial uses requiring considerable amounts of contiguous land for operation and buffering, and which by their nature represent a substantial and significant economic development opportunity for Scott County and the region. Such very large scale industrial/commercial uses can be considered for review and approval through the rezoning of property within existing commercial, industrial, or agricultural zoning districts. The adopted industrial development objectives of the Scott County Comprehensive Plan identify the conditions

under which the creation of such an "I-F" District can be approved for a very large scale industrial/commercial development.

Prior to establishment of any such floating district adequate information shall be submitted regarding the effects of the proposed use upon the local and regional economy, the impact on the adjoining property and area, the adequacy of the road system to handle the anticipated traffic, any potential traffic hazards, 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 site plan approval will occur in conjunction with the rezoning review and approval. The standards, criteria and conditions of approval will be applied, as deemed appropriate and applicable, during the rezoning review and approval process.

B. Principal Permitted Uses: Land or buildings may be used for any of the following, in so far as the regulations contained in Sections D, E, and F are met.

(1) Any use permitted in the "I" District that due to its size and scale requires an "I-F" zoning classification.

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

D. Special Permitted Uses: None

E. The Planning Commission and Board of Supervisors shall consider the following characteristics of any land being petitioned for a rezoning to an "I" Floating District:

(a) Present use

(b) Corn suitability rating (CSR)

(c) Access/proximity of existing transportation networks, sewer or water connections, or other needed infrastructure; as well as the feasibility of extending such facilities, if necessary

(d) Particular suitability or adaptability of the land to accommodate the proposed use

F. Required Conditions for rezoning land to "I-F" Industrial Floating District:

(1) No portion of the site proposed to be developed, including but not limited to buildings, storage areas, and transportation facilities, may be located in a mapped 100-year or 500-year floodplain.

(2) The potential impacts on any environmentally sensitive areas, such as lakes, ponds, streams, rivers and wetlands, steep slopes, aquifers and recharge areas, unstable building sites, natural wooded areas, prairie and other wildlife habitats, shall be identified and considered for reasonable mitigation. The Planning Commission may recommend, and the Board of Supervisors may approve, off-site mitigation of environmentally sensitive areas as opposed to their preservation.

(3) The best reasonable means known for the disposal of refuse matter or water carried waste, the abatement of obnoxious or offensive odors, smoke, dust, gas, noise, or similar nuisance shall be employed.

(4) All buildings and accessory buildings or structures shall be located at least five hundred (500) feet from an "R-1" or "R-2" District boundary and not less than one hundred (100) feet from any other District except a "C-2" or "I" District.

(5) All uses which require heavy truck usage shall only be located on adequately constructed paved roads which avoid residential areas.

(6) Adequate safeguards shall be taken to fence or screen an on-site hazard from the public.

(7) The proposed location, design, construction and operation shall consider the impact on the property values of adjoining or surrounding property.

(8) Any development plan must provide documentation that the project will not negatively affect the operation of existing agricultural drainage tiles on adjacent properties.

G. Procedure for Rezoning Land to "I-F" Industrial Floating

(1) Developer/landowner must apply to the Planning and Zoning Commission for approval of a specific development plan involving one of the principal permitted uses listed in

paragraph "B" above. The development plan must include a site plan for the development in accordance with Section 6-29 Site Plan Regulations. The standard rezoning procedures contained in Section 6-31 Zoning Amendment Procedures shall be followed, beginning with the Planning and Zoning Commission holding a rezoning public hearing before making a recommendation to the Board of Supervisors.

(2) Developer must apply for all State and federal required permits for the proposed development and provide copies of the application for review.

(3) The Board of Supervisors will receive the Commission's recommendation plus information received during the Commission public hearing process and will hold a public hearing in accordance with Section 6-31 Zoning Amendment Procedures. Based on the Commission recommendation, County staff comments, a review of the required State permit applications, and comments from the applicant and the public, the Board may approve or deny the application. If approved, the site plan approval conditions will be included with the ordinance changing the zoning. Final County approval is contingent on State and/or Federal permit approval as may be required

(4) If the applicant's application is adopted by the Board, the department staff shall update the zoning map to show the specific location of the "I-F" district (including the separation spacing).

H. Minimum Lot Area, Lot Width, Setback, & Maximum Height Requirements: The lot area, building and structure setbacks and heights of buildings and structures will be determined and approved through the established procedures.

6-20. "SW-F" SOLID WASTE DISPOSAL SITE FLOATING DISTRICT

A. General Intent: The "SW-F" Solid Waste Disposal Site Floating District is intended and designed to meet a preponderance of the policies and guidelines of the comprehensive Scott County Landfill Siting Policies as adopted in 1993 and any amendments thereto. The area rezoned to "SW-F" will be large enough to meet the needs for landfilling and waste recovery, plus a buffer area. Specific conditions for construction, operation, and closing the facility will be developed during the solid waste disposal siting process, as prescribed in the General Provisions section of this District below.

B. Principal Permitted Uses: Property and building in a "SW-F" Solid Waste Disposal Sites District shall be used for the following purposes:

(1) Current land and building uses as of May 1, 1993, if legal in the current zoning district.

(2) Solid Waste Disposal Sites, if approved in accordance with the General Provisions section of this District.

(3) Conservation and wildlife habitat.

C. Accessory Permitted Uses: Accessory buildings and uses customarily incidental to any of the uses in paragraph "B" above.

D. General Provisions: No new solid waste disposal site or extensions to existing legal solid waste disposal site shall be allowed until approved by the Board of Supervisors. Such site and proposed operational procedures shall comply with Iowa Department of Natural Resources rules.

E. Application Procedures:

(1) Applications shall be made in writing signed by the applicant, in accordance with Section 455B., Iowa Code, and shall contain the location and legal description of the proposed site. The application must be accompanied by eight (8) copies of the documents described in Section 455B.305A.2., 2015 Code of Iowa.

(2) The Zoning Administrator, upon receipt of the application, documents, and filing fee, shall forward copies of the application to the Planning and Zoning Commission, and a complimentary copy to the Board of Supervisors. The Commission shall conduct a public hearing at least forty-five (45) days and no later than seventy-five (75) days after receipt before making a recommendation to the Board of Supervisors. The applicant shall file a rezoning application no sooner than thirty (30) days prior to the public hearing so that the Solid Waste Disposal site and rezoning procedures can be handled concurrently. A public notice of the joint purpose public hearing shall be published in the official newspapers in accordance with Section 331.305, Iowa Code. Property owners of record, as described in Sections 455B.305A.3, Iowa Code, shall be notified of the public hearing by ordinary first class mail. The Commission shall forward a recommendation to the Board of Supervisors within thirty (30) days of the hearing.

(3) The Board of Supervisors shall receive the recommendation of the Commission and six (6) additional copies of the application from the applicant and hold a public hearing in conformance with Sections 455B.305A.5, Code of Iowa and this Ordinance. The Board shall not make a decision until the public has had a 30-day opportunity to comment on the public hearing for site approval and rezoning. The first reading of the rezoning shall be delayed until after the 30-day review period. Before final Board action to approve, approve with conditions, or to disapprove, the applicant's proposal shall be made available to the public in writing. The second reading of the ordinance to amend the zoning ordinance and map will be delayed and reflect the decision of the Board. The rezoning shall be denied if the application for site approval is denied.

(4) The applicant is entitled to one amendment to the original application. It will be administered in conformance with Sections 455B.305A.6., 1993 Code of Iowa.

(5) The application fee shall be \$1,000 to start the process. The County shall monitor all reasonable and necessary costs for reviewing the original application and one amendment, if any, including staff costs and other overhead costs. When the costs exceed \$1,000, the applicant will reimburse the County for all reasonable and necessary costs within thirty days of receipt of itemized County claims.

F. Standards for Reviewing: In considering an application for a Solid Waste Disposal Site, the Planning and Zoning Commission and Board of Supervisors will assure themselves that:

(1) The proposed site is or will be zoned "SW-F".

(2) The proposed site meets the preponderance of the Scott County Landfill Siting Policy Statement and Scott County Land Use Policies.

(3) The proposed site meets or exceeds all requirements for such sites as regulated by the Iowa Department of Natural Resources.

G. Minimum Lot Area, Lot Width, Setback, & Maximum Height Requirements: The lot area, building and structure setbacks and heights of buildings and structures will be determined and approved through the established procedures.

6-21 GENERAL PROVISIONS OF THE FLOODWAY, FLOODWAY FRINGE, AND GENERAL FLOODPLAIN OVERLAY DISTRICTS

A. Permit Required: No person, firm, or corporation shall initiate any development or cause the same to be done in any Flood Plain Overlay District without first obtaining a permit for such development. The Administrative Officer shall review all permit applications to determine if the standards of the Flood Plain Overlay Districts will be met and to insure that all necessary permits will be obtained from Federal, State, and Local governmental agencies.

(1) Application for Permit - Application for a Flood Plain Development Permit shall be on forms supplied by the Administrator and shall include the following information:

(a) Description of the work to be covered by the permit for which application is to be made.

(b) Description of the land on which the proposed work is to be done (i.e., lot, block, tract, street address or similar description) that will readily identify and locate the work to be done.

(c) Identification of the use or occupancy for which the proposed work is intended.

(d) Elevation of the 100-year flood.

(e) Elevation (in relation to the National Geodetic Vertical Datum) of the lowest floor including basement) of buildings or of the level to which a building is to be floodproofed.

(f) For buildings being improved or rebuilt, the estimated cost of improvements and assessed value of the building prior to the improvements.

(g) Such other information as the Administrator deems reasonably necessary for the purpose of this ordinance.

(2) Filing Fee - All applications shall pay a fee based on the fee schedule approved by the Board of Supervisors.

(3) Action on Permit Application - The Administrator shall, within a reasonable time, make a determination as to whether the proposed flood plain development meets the applicable provisions and standards of this ordinance and shall approve or disapprove the application. For disapprovals, the applicant shall be informed, in writing, of the specific reasons therefore. The Administrator shall not issue permits for variances except as directed by the Board of Adjustment.

(4) Construction and Use to be Provided in Application and Plans - Flood Plain Development Permits issued on the basis of approved plans and applications authorize only the use, arrangement, and construction set forth in such approved plans and applications and no other use, arrangement or construction. Any use, arrangement or construction at variance with that authorized shall be deemed a violation of this Ordinance. The applicant shall submit an "as built" Certificate of Elevation by a professional engineer or land surveyor, as appropriate, registered in the State of Iowa, that the finished fill, building floor elevations, floodproofing, or other flood protection measures were accomplished in compliance with the provisions of the Ordinance, prior to the use or occupancy of any structure.

B. Notification or Alteration or Relocation of Watercourse: The Director/Zoning Administrator shall notify adjacent communities or counties and the Iowa Department of Natural Resources prior to any proposed alteration or relocation of a watercourse.

C. Warning and Disclaimer of Liability: The degree of flood protection required by the standards of the Flood Plain Overlay Districts is considered reasonable for regulatory purposes and is based on engineering and scientific methods of study. Larger floods may occur on rare occasions or the flood heights may be increased by manmade or natural causes, such as ice jams and bridge openings restricted by debris. These standards and provisions do not imply that areas outside the Floodway, Floodway Fringe, or General Flood Plain Overlay Districts will be free from flooding or flood damage. These provisions shall not create liability on the part of Scott County or any officer or employee thereof for any flood damage that may result from reliance on these provisions or any administrative decision lawfully made thereunder.

D. Abrogation and Greater Restrictions: it is not intended by this Ordinance to repeal, abrogate or impair any existing easements, covenants, or deed restriction. However where this Ordinance imposes greater restrictions, the provision of this Ordinance shall prevail. All other ordinances inconsistent with this Ordinance are hereby repealed to the extent of the inconsistency only.

6-22. "FW" FLOODWAY OVERLAY DISTRICT

A. General Intent: It is the intent of the "FW" Floodway Overlay District that the identified area is designated to carry flood waters and should be protected from developmental encroachment which would increase the flood levels or cause unnecessary threats to personal property or allow unnecessary threats to personal safety. Buildings and structures which impede the free flow of flood waters will not be allowed.

B. Development Standards: All uses in the "FW" Overlay District shall comply with the underlying Zoning District requirements and the provisions of Section 6-18. In addition, the following standards shall be met:

(1) No use shall cause any increase in the 100 year flood level. Consideration of the effects of any development on flood levels shall be based upon the assumption that an equal degree of development would be allowed for similarly situated lands.

(2) All proposed uses and construction shall be consistent with the need to minimize flood damage, and use construction materials and utility equipment that are resistant to flood damage.

(3) No use shall affect the capacity or conveyance of the channel or floodway of any tributary to the main stream, drainage ditch, or any other drainage facility or system.

(4) Structures, buildings and sanitary and utility systems, if permitted, shall meet the applicable performance standards of the Floodway Fringe District and shall be constructed or aligned to present the minimum possible resistance to flood flows.

(5) Buildings, if permitted, shall have a low flood damage potential and shall not be for human habitation.

(6) Storage of materials or equipment that are buoyant, flammable, explosive, or injurious to human, animal or plant life is prohibited. Storage of other material may be allowed if readily removable from the Floodway District within the time available after flood warning.

(7) Watercourse alterations or relocations (channel changes and modifications) must be designed to maintain the flood carrying capacity within the altered or relocated portion.

In addition, such alterations or relocations must be approved by the Iowa Department of Natural Resources.

(8) Any fill allowed in floodway must be shown to have some beneficial purpose and shall be limited to the minimum amount necessary.

(9) Pipeline river or stream crossings shall be buried in the streambed and banks or otherwise sufficiently protected to prevent rupture due to channel degradation and meandering or due to the action of flood flows.

(10) No dwellings, including factory-built homes, shall be permitted.

6-23. "FF" FLOODWAY FRINGE OVERLAY DISTRICT

A. General Intent: The intent of the "FF" Floodway Fringe Overlay District is to require special site planning and construction standards to minimize the threats to personal safety and damage to property caused by flooding.

B. Development Standards: All uses in the "FF" Floodway Fringe Overlay District shall comply with the underlying Zoning District requirements and the provisions of Section 6-18. In addition, the following standards shall be met:

(1) All structures shall i) be adequately anchored to prevent flotation, ii) be constructed with materials and utility equipment resistant to flood damage, and iii) be constructed by methods and practices that minimize flood damage.

(2) Residential Buildings: All new, substantially improved, or substantially damaged residential structures shall have the lowest floor, including basements, elevated a minimum of one (1) foot above the 100-year flood level. Construction shall be upon compacted fill which shall, at all points, be no lower than one (1) foot above the 100-year flood level and extend at such elevation at least eighteen (18) feet beyond the limits of any structure erected thereon. Alternate methods of elevating (such as piers) may be allowed, subject to favorable consideration by the Director/Zoning Administrator, where existing topography, street grades, or other factors preclude elevating by fill. In such

cases the methods used must be adequate to support the structure as well as withstand the various forces and hazards associated with flooding. All new residential buildings shall be provided with a means of access which will be passable by emergency vehicles during the 100-year flood.

(3). Non-residential buildings - All new and substantially improved, or substantially damaged non-residential buildings shall have the first floor (including basement) elevated a minimum of one (1) foot above the 100-year flood level, or together with attendant utility and sanitary systems, be floodproofed to that level. When floodproofing is utilized, a professional engineer registered in the State of Iowa shall certify that the floodproofing methods used are adequate to withstand the flood depths, pressures, velocities, impact and uplift forces and other factors associated with the 100-year flood. A record of certification indicating the specific elevation (in relation to National Geodetic Vertical Datum) to which any structures are floodproofed shall be maintained by the Administrative Officer.

(4) The exemption of detached garages, sheds, and similar structures from the 100-year flood elevation requirements may result in the increased premium rates for insurance coverage of the structure and contents. However, these detached garages, sheds, and similar accessory-type structures are exempt from the 100-year flood elevation requirements when:

- (a) The structure shall not be used for human habitation.
- (b) The structure shall be designed to have low flood damage potential.
- (c) The structure shall be constructed and placed on the building site as to offer minimum resistance to the flow of floodwaters.
- (d) The structures shall be firmly anchored to prevent flotation which may result in damage to other structures.
- (e) The structure's service facilities such as electrical and heating equipment shall be elevated or floodproofed to at least one (1) foot above the 100-year flood level.
- (5) All new and substantially improved structures:
 - (a) Fully enclosed areas below the "lowest floor" (not including basements) that are subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or meet or exceed the flooding minimum criteria:
 - i. A minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided.
 - ii. The bottom of all openings shall be no higher than one foot above grade.
 - iii. Openings may be equipped with screens, louvers, valves or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.
 - (b) New and substantially improved structures must be designed (or modified) and adequately anchored to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy.
 - (c) New and substantially improved structures must be constructed with electrical, heating, ventilation, plumbing, and air conditioning equipment and other service facilities that are designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding.
- (6) Factory-built homes shall be anchored to resist flotation, collapse, or lateral movement according to the State Building Code and shall be elevated on a permanent foundation such that the lowest floor of the structure is a minimum of one (1) foot above the 100-year flood level. All new or replacement factory-built homes shall comply with these requirements.
 - (a) Recreational vehicles are exempt from the requirements of this Ordinance regarding anchoring and elevation of factory-built homes when the following criteria are satisfied;
 - i. The recreational vehicle shall be located on the site for less than 180 consecutive days, and
 - ii. The recreational vehicles must be fully licensed and ready for highway use if it is on its wheels or jacking system and is attached to the site only by quick disconnect type utilities and security device and has no permanently attached additions.
 - (b) The recreational vehicles that are located on the site for more than 180 consecutive days or are not ready for highway use must satisfy requirements of this Ordinance regarding anchoring and elevation of factory built homes
- (7) Utility and Sanitary Systems:
 - (a) All new and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the system as well as the discharge of effluent into flood waters. Wastewater treatment facilities shall be provided with a level of flood protection equal to or greater than one (1) foot above the 100-year flood elevation.

(b) On site waste disposal systems shall be located or designed to avoid impairment to the system or contamination from the system during flooding.

(c) New or replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system. Water supply treatment facilities shall be provided with a level of protection equal to or greater than one (1) foot above the 100-year flood elevation.

(d) Utilities such as gas and electrical systems shall be located and constructed to minimize or eliminate flood damage to the system and the risk associated with such flood damaged or impaired systems.

(8) No use shall affect the capacity or conveyance of the channel or floodway of any tributary to the main stream, drainage ditch, or other drainage facility or system.

(9) Subdivisions, including factory-built home parks and subdivisions, shall be consistent with the need to minimize flood damages and shall have adequate drainage provided to reduce exposure to flood damage. Development associated with subdivision proposals shall meet the applicable performance standards. Subdivision proposals intended for residential development shall provide all lots with a means of vehicular access during occurrence of the 100-year flood.

(10) Storage of materials and equipment that are flammable, explosive or injurious to human, animal or plant life is prohibited unless elevated a minimum of one (1) foot above the 100-year flood level. Other material and equipment must either be similarly elevated or i) not be subject to major flood damage and be anchored to prevent movement due to flood waters, or ii) be readily removable from the area within the time available after flood warning.

(11) Flood control structural works such as levees, floodwalls, etc., shall provide, at a minimum, protection from a 100-year flood with a minimum of three (3) feet of design freeboard and shall provide for adequate interior drainage. In addition, structural flood control works shall be approved by the Iowa Department of Natural Resources.

6-24. "GF" GENERAL FLOOD PLAIN OVERLAY DISTRICT

A. General Intent: The "GF" General Floodplain Overlay District reflects those areas which would be inundated during a 100-year flood, but for which specific flood elevations and floodway and floodway fringe limits have not been established. It is the intent of the "GF" Overlay District to impose the development standards of the FW and FF Overlay Districts after a determination is made to identify the floodway and floodway fringe areas on an individual project basis. Where 100-year flood data has not been provided in the Flood Insurance Study, the applicant for a Flood Plain Development Permit shall contact the Iowa Department of Natural Resources to compute such data. The Department of Natural Resources shall obtain, review and reasonably utilize any base flood elevation and floodway data available from a Federal, State, or other source, as criteria for reviewing new construction, substantial improvements, or other development in the General Flood Plain Overlay District.

(1) All uses or portions thereof to be located in the floodway as determined by the Iowa Department of Natural Resources shall meet the applicable standards of the "FW" Overlay District.

(2) All uses or portions thereof to be located in the floodway fringe as determined by the Iowa Department of Natural Resources shall meet the standards of the "FF" Overlay District.

6-25. MOBILE HOME PARK REGULATIONS

A. General Intent: Mobile Home Parks are uses of land which because of their unique characteristics are classified as a Special Use in the particular District or Districts identified so that in each case the impact upon the proposed site, neighboring land, public facilities, and the public need for such Parks in a particular location can be evaluated.

(1) Mobile homes may be occupied and used for dwelling purposes only if located in an approved Mobile Home Park in accordance with this Ordinance and Chapter 435, 2015 Code of Iowa. Such Parks may only be allowed in the following Zoning Districts through approval of a Special Use permit: "R-2", and "C-2".

(2) Mobile Home Parks are areas containing mobile homes which are structures designed and intended to be used as permanent living facilities. Mobile Home Parks may contain a limited number of travel trailers as defined in this Ordinance, intended to serve as temporary living facilities. Any travel trailer may locate in an approved Mobile Home Park not to exceed 180 days per calendar year. The allowance for travel trailers does not

include tents or tent camping within any Mobile Home Park. At any one time, a Mobile Home Park must have the majority (51% or more) of its occupied spaces containing Mobile Homes as defined in this Ordinance. Failure to comply with this majority requirement shall be grounds for revocation of the Special Use permit.

(3) Special Permitted Use: Any proposed Mobile Home Park shall apply for a Special Use permit, on forms provided by the Zoning Administrator, before any construction has begun or any mobile homes are placed on the site. The application shall be a written application to the Zoning Board of Adjustment and include the following information as a minimum:

(a) The name, address, and signature of the applicant, the land owner, and the developer (if different).

(b) The location and legal description of the proposed tract for the Park.

(c) A brief description of why this site should be developed for a Mobile Home Park, including facts showing the proposed Park complies with the Comprehensive Plan and Land Use Policies.

B. Filing Fee: All applications shall pay a fee based on the fee schedule approved by the Board of Supervisors.

C. Site Plan Requirements: The application also shall be accompanied by a Site Plan, consisting of eight (8) copies, which will be used by the County and the Zoning Board of Adjustment in making its decision. The Site Plan shall be drawn at a reasonable and legible scale and shall include the following:

(1) A separate vicinity map showing the Park's relationship to existing streets, adjoining properties, and public facilities.

(2) Existing and proposed contour intervals of not more than five (5) feet, provided, however, that a minimum of two (2) contours shall be shown.

(3) The location of existing property lines and other pertinent information including but not limited to: Surface features, buildings, roads, railroads, utilities, watercourses, mature trees, and similar items affecting the development. Also, the location of sub-surface features, such as underground utilities and drain tiles.

(4) All existing adjacent subdivisions, streets, lots, and tracts of land along with the location of such homes, farm buildings, and other buildings.

(5) The proposed location of mobile home/travel trailer sites, streets, traffic flow, street lighting, access to public streets and roads, layouts for lots and spaces, location of utilities and utility easements, recreation areas, park accessory buildings and facilities.

(6) The location and manner of providing water supply and sewage treatment which meets Iowa DNR and Scott County Health Department regulations.

(7) A grading plan including detailed information complying with Iowa DNR and local Scott County regulations for handling storm water run-off.

(8) The title in large letters of the proposed Park, a north arrow, scale, the Zoning District in which the land is located, and the proposed street names in the Park.

D. Filing Sequence: Once the application, fee, and Site Plan (8 copies) are properly filed with the Zoning Administrator, the application shall be put on the next regular meeting for the Zoning Board of Adjustment, which allows twenty (20) days for review prior to the meeting. One copy will be forwarded to the Board of Health and the County Engineer for review and recommendation at the public hearing.

(1) The Zoning Administrator will make public notice in the newspaper and send notification to all property owners of record within five hundred (500) feet of the proposed Park site.

(2) The Zoning Board of Adjustment, after such public hearing, may grant a Special Use Permit to the applicant to operate a Mobile Home Park in Scott County. The decision may be postponed until the next regular meeting, if there is not enough information to make a proper decision after the public hearing.

E. Board Findings: The Board may approve such Park application if it can affirm that the proposed Park is to be located in an eligible Zoning District; that it substantially meets the standards and procedures of this Section, the general intent of the Zoning Ordinance, and the Comprehensive Plan; that there are adequate provisions for fire protection and water supply; that the proposed Park will not be detrimental to, nor endanger the public health, safety and general welfare; that it will not be injurious to the use and enjoyment of adjacent property owners for the purposes already permitted; nor will it substantially diminish property values within the neighborhood; and that the proposed Park will not impede the normal and orderly development of the surrounding property for uses permitted in the District. The Board may grant the permit, but include such conditions on the layout and operation of the Park as it deems essential to be consistent with the spirit, purpose, and intent of this Ordinance.

F. Standards: (Applicable to new parks and additions to existing parks)

(1) Minimum Site: The minimum site for a Mobile Home Park shall be five (5) acres.

(2) Mobile Home Density: A maximum density of eight (8) mobile homes per acre of ground is permitted.

(3) Open Space: Common open space shall be provided and based on a factor of three hundredths (0.03) acres per mobile home with a minimum of one (1) acre of useable land designated per Park addition.

(4) Roadways, Streets, and Driveways: For roads and streets in mobile home parks, the design standards and procedures for streets as prescribed in the Scott County Subdivision Ordinance, Section 9-17, shall apply. The applicant shall have all streets

inspected throughout the construction process by a registered professional engineer who will certify that the streets meet the above standards.

(5) Street Lighting: Adequate street lighting shall be provided as necessary, and reviewed at the time the Special Use permit is considered.

(6) Off-Street Parking: Off-street parking shall be provided in the Park for the use of Park residents and guests. Parking spaces shall be hard surfaced in Mobile Home Parks and located conveniently to the mobile home lot or space. In Mobile Home Parks, two (2)

vehicle parking spaces shall be provided for each lot with a minimum of one (1) parking space on the lot.

(7) Spaces: Individual lots or spaces shall be so arranged that there will be at least a fifteen (15) foot clearance between units, including any additions. No mobile home shall be located closer than fifty (50) feet from the front property line (or right-of-way), nor closer than twenty (20) feet from any internal street or roadway surface, nor closer than twenty-five (25) feet from any side or rear property line, nor closer than five (5) feet from any interior lot line.

(8) Building and Other Improvements: Plans and specifications of all Park-owned buildings and other improvements, including sewage, gas, electric and water supply, roadways and sanitary facilities constructed or to be constructed within the Park shall comply with applicable laws of the State of Iowa, including Section 435 of the 2015 Code of Iowa, and with applicable Chapters of this Code.

Buildings and structures shall be limited to one (1) "convenience shopping" store, the residence of the owner/operator, utility and recreation buildings, and accessory buildings and structures for the mobile home park residents. The applicant shall provide for an Iowa State Registered Professional Engineer to design the sanitary sewer and water systems and certify their installation according to the plans. The Professional Engineer will inspect the installation of the sewer and water systems and show proof thereof. Wastewater treatment systems for individual mobile homes are not permitted, unless approved by the Scott County Health Department.

(9) Ownership of Park: The Park owner may not sell or transfer title of any lot or space in such Park. In the event of any such transfer, the Special Use permit of the Park shall be automatically revoked, and all units shall be removed from the premises within thirty (30) days of written notice to do so from the Zoning Administrator. It is the intention hereof that such Parks may be transferred in their entirety, as long as the new Park owner agrees to comply with the Special Use permit.

(10) Occupancy: The Park may not be occupied until the sewer and water supply have been approved by the County Board of Health or the Iowa Department of Natural Resources (if applicable) and appropriate utilities have been installed and are operational. The internal roadways leading to the lot or space must be constructed. Once the utilities are in place, the Zoning Administrator will do an on-site inspection and provide a Certificate of Compliance for the Park or a phase of the Park.

(11) Certificate of Occupancy: Each mobile home requires a building permit and must be inspected before it can be occupied.

(12) Changes in the Layout of the Park: Any substantial changes in the Park which would change lot sizes numbers, recreation areas, or street patterns first must be approved by the Zoning Administrator. Any new additions to the Park require the

applicant to file for an amended Special Use permit with the Zoning Board of Adjustment.

(13) Failure to Construct Park: A Special Use permit issued by the Zoning Board of Adjustment for such a Park shall become null and void if no substantial development has been completed one (1) year after the granting of such permit. This period may be extended only upon review and written approval of the Zoning Administrator.

(14) Park Vacation: If a Mobile Home Park is vacated for more than one (1) year, the Special Use permit shall become null and void.

(15) Temporary Mobile Home Occupancy Permits: Application for a permit to occupy a mobile home for dwelling or sleeping purposes outside of a park upon a lot or premises occupied by a dwelling shall be made at the office of the Zoning Administrator. Such permits may be granted for two purposes: 1) the care of a person by a relative when the mobile home has a HUD seal and is located on the same property as the permanent home, and 2) the temporary residency of a person or family engaged in the construction of a permanent residence on the premises. Said application shall set forth the location of the occupied dwelling where such mobile home is to be used and occupied; the name of the owner or occupant of such mobile home or travel trailer together with his car license number and the license number of such mobile home or travel trailer.

The Office of the Zoning Administrator may issue a permit for the temporary occupancy of a mobile home or travel trailer outside of a Park upon receipt of the application as set forth in the previous paragraph. The permit may be issued for a period specified by the Administrative Officer and not to exceed one (1) year from the date of the granting of the permit; and such permit may be extended for good cause in the judgment of the Zoning Administrator.

6-26. TRAVEL TRAILER PARK REGULATIONS

A. General Intent: Travel Trailer Parks are uses of land which because of their unique characteristics are classified as a Special Use in the particular District or Districts identified so that in each case the impact upon the proposed site, neighboring land, public facilities, and the public need for such Parks in a particular location can be evaluated.

(1) Travel trailers may be occupied and used for temporary dwelling purposes only if located in an approved Travel Trailer Park or in an approved Mobile Home Park as addressed herein. Such Travel Trailer Parks may only be allowed in the following Zoning Districts through the approval of a Special Use permit: "A-G", "R-2", and "C-2".

(2) Trailer Parks are areas for the temporary location of travel trailers, as defined in this Ordinance and briefly here defined as motorized vehicles designed and intended for temporary living facilities. "Temporary" is intended to mean that such dwellings may be located in a Travel Trailer Park for no more than thirty (30) consecutive days, and for no more than 104 days in a calendar year (figure assumes location of a travel trailer for every weekend in a calendar year). Travel Trailer Parks may contain a limited number of tent/tent camping sites. Such tent sites are subject to the same maximum location requirements as travel trailers; no more than 30 consecutive days, and no more than 104 days in a calendar year. The location of a site built home, mobile home, or any other permanent or semi-permanent dwelling or structure other than a travel trailer or camping tent is prohibited.

(3) Special Permitted Use: Any proposed Travel Trailer Parks shall apply for a Special Use permit, on forms provided by the Zoning Administrator, before any construction has begun or any mobile homes are placed on the site. The application shall be a written application to the Zoning Board of Adjustment and include the following information as a minimum:

(a) The name, address, and signature of the applicant, the land owner, and the developer (if different).

(b) The location and legal description of the proposed tract for the Park.

(c) A brief description of why this site should be developed for a Travel Trailer Park, including facts showing how the proposed Park complies with the Comprehensive Plan and Land Use Policies.

B. Filing Fee: All applications shall pay a fee based on the fee schedule approved by the Board of Supervisors

C. Site Plan Requirements: The application also shall be accompanied by a Site Plan, consisting of eight (8) copies, which will be used by the County and the Zoning Board of Adjustment in making its decision. The Site Plan shall be drawn at a reasonable and legible scale and shall include the following:

(1) A separate vicinity map showing the Park's relationship to existing streets, adjoining properties, and public facilities.

(2) Existing and proposed contour intervals of not more than five (5) feet, provided, however, that a minimum of two (2) contours shall be shown.

(3) The location of existing property lines and other pertinent information including but not limited to: Surface features, buildings, roads, railroads, utilities, watercourses, mature trees, and similar items affecting the development. Also, the location of sub-surface features, such as underground utilities and drain tiles.

(4) All existing adjacent subdivisions, streets, lots, and tracts of land along with the location of such homes, farm buildings, and other buildings.

(5) The proposed location of travel trailer sites, streets, traffic flow, street lighting, access to public streets and roads, layouts for lots and spaces, location of utilities and utility easements, recreation areas, park accessory buildings and facilities.

(6) The location and manner of providing water supply and sewage treatment which meets Iowa DNR and Scott County Health Department regulations.

(7) A grading plan including detailed information complying with Iowa DNR and local Scott County regulations for handling storm water run-off.

(8) The title in large letters of the proposed Park, a north arrow, scale, the Zoning District in which the land is located, and the proposed street names in the Park.

D. Filing Sequence: Once the application, fee, and Site Plan (8 copies) are properly filed with the Zoning Administrator, the application shall be put on the next regular meeting for the Zoning Board of Adjustment, which allows twenty (20) days for review prior to the meeting. One copy will be forwarded to the Board of Health and the County Engineer for review and recommendation at the public hearing.

(1) The Zoning Administrator will make public notice in the newspaper and send notification to all property owners of record within five hundred (500) feet of the proposed Park site.

(2) The Zoning Board of Adjustment, after such public hearing, may grant a Special Use permit to the applicant to operate a Travel Trailer Park in Scott County. The decision

may be postponed until the next regular meeting, if there is not enough information to make a proper decision after the public hearing.

E. Board Findings: The Board may approve such Park application if it can affirm that the proposed Park is to be located in an eligible Zoning District; that it substantially meets the standards and procedures of this Section, the general intent of the Zoning Ordinance, and the Comprehensive Plan; that there are adequate provisions for fire protection and water supply; that the proposed Park will not be detrimental to, nor endanger the public health, safety and general welfare; that it will not be injurious to the use and enjoyment of adjacent property owners for the purposes already permitted; nor will it substantially diminish property values within the neighborhood; and that the proposed Park will not impede the normal and orderly development of the surrounding property for uses permitted in the District. The Board may grant the permit, but include such conditions on the layout and operation of the Park as it deems essential to be consistent with the spirit, purpose, and intent of this Ordinance.

F. Standards: (Applicable to new parks and additions to existing parks)

(1) Minimum Site: The minimum site for a Travel Trailer Park shall be five (5) acres.

(2) Travel Trailer Density: A maximum density of fifteen (15) travel trailers per acre, and twenty-five (25) tents per acre, of ground is permitted.

(3) Open Space: Common open space shall be provided and based on a factor of three hundredths (0.03) acres per travel trailer space, and the same factor per every two (2) tent spaces (if applicable), with a minimum of one (1) acre of useable land designated per Park addition.

(4) Roadways, Streets, and Driveways: Roads, streets, and driveways, within Travel Trailer Parks shall be suitably graded, dust free, and constructed to provide proper drainage, safe and convenient access to each travel trailer space, and convenient circulation of vehicles. Street layout will be designed to limit the number of access points onto the public road system and to minimize traffic hazards. The roadway surface shall be constructed to maintain a driving area at least twenty (20) feet wide the entire route. If a pavement is desired, it shall first be approved by the County Engineer, who may require any and all forms of background information to assist him in making his decision. Such plans shall be approved before any construction may begin on the Travel Trailer Park.

(5) Street Lighting: Adequate street lighting shall be provided as deemed necessary, and reviewed at the time the Special Use permit is considered.

(6) Off-Street Parking: Off-street parking shall be provided in the Park for the use of Park residents and guests. In Travel Trailer Parks, one (1) vehicle parking space shall be provided for each site and one (1) additional for every three (3) travel trailer spaces, the same for every tent space (if applicable).

(7) Spaces: Individual lots or spaces shall be so arranged that there will be at least a fifteen (15) foot clearance between travel trailers. No permanent structures, such as porches, canopies, or other additions shall be built onto any travel trailer. No travel trailer shall be located closer than fifty (50) feet from the front property line (or right-of-way), nor closer than twenty (20) feet from any internal street or roadway surface, nor closer than twenty-five (25) feet from any side or rear property line, nor closer than five (5) feet from any interior lot line.

(8) Building and Other Improvements: Plans and specifications of all Park-owned buildings and other improvements, including sewage, gas, electric and water supply, roadways and sanitary facilities constructed or to be constructed within the Park shall comply with applicable laws of the State of Iowa and with applicable Chapters of this Code.

Buildings and structures shall be limited to one (1) "convenience shopping" store, the residence of the owner/operator, utility and recreation buildings, and accessory buildings and structures for maintenance of the Park. The applicant shall provide for an Iowa State Registered Professional Engineer to design the sanitary sewer and water systems and certify their installation according to the plans. The Engineer will inspect the installation of the sewer and water systems and show proof thereof.

(9) Ownership of Park: The Park owner may not sell or transfer title of any lot or space in such Park. In the event of any such transfer, the Special Use Permit of the Park shall be automatically revoked, and all travel trailers shall be removed from the premises within thirty (30) days of written notice to do so from the Zoning Administrator. It is the intention hereof that such Parks may be transferred in their entirety, as long as the new Park owner agrees to comply with the Special Use permit.

(10) Occupancy: The Park may not be occupied until the sewer and water supply have been approved by the County Board of Health or the Iowa Department of Natural Resources (if applicable) and lighting, electricity, and natural gas (if applicable) have been installed and are operational. The internal roadways leading to the lot or space must be constructed. Once the utilities are in place, the Zoning Administrator will do an on-site inspection and provide a Certificate of Compliance for the Park or a phase of the Park.

(11) Changes in the Layout of the Park: Any substantial changes in the Park which would change lot sizes, numbers, recreation areas, or street patterns first must be approved by the Zoning Administrator. Any new additions to the Park require the applicant to file for an amended Special Use permit with the Zoning Board of Adjustment, following the same procedures established in this Ordinance.

(12) Failure to Construct Park: A Special Use permit issued by the Zoning Board of Adjustment for such a Park shall become null and void if no substantial development has been completed one (1) year after the granting of such permit. This period may be extended only upon review and written approval of the Zoning Administrator.

(13) Park Vacation: If a Travel Trailer Park is vacated for more than one (1) year, the Special Use permit shall become null and void.

6-27. OFF STREET VEHICULAR PARKING REQUIREMENTS

A. Off street parking required: All new construction, re-development or change of use of property subject to the requirements of Section 6-29 Site Plan Review shall be required to provide off street parking and circulation areas in accordance with the requirements set forth as follows:

(1) Off street parking spaces shall be provided using the following guidelines:

- (a) Single and two family dwellings 3 per unit
- (b) Townhouses and Apartments 2 per unit
- (c) Senior Residential facilities 1 per unit
- (d) Churches and assembly facilities 1 per every 3 persons of occupancy load

- (e) General Commercial Uses 1 per every 500 sq ft gross floor area
 - (f) Outdoor Recreational facilities 1 per every 3 persons of design capacity
 - (g) Retail Sales under 5, 000 sq ft 1 per every 500 sq ft gross floor area
Floor area
 - (h) Retail Sales over 5,000 sq ft 1 per every 750 sq ft gross floor area
Floor area
 - (i) Office Uses 1 per every 500 sq ft gross floor area
 - (j) Restaurants and on premise 1 per every 250 sq ft gross floor area
Liquor sales
 - (k) Industrial Uses 1 per every 750 sq ft gross floor area
 - (l) Warehousing 1 per every 1,000 sq ft gross floor area
 - (m) Other Uses not specifically 1 per every 3 persons of occupancy load
Identified
- (2) Additional parking and circulation areas: All areas used for parking and circulation in excess of the above minimum required shall be constructed in accordance with the requirements of these regulations.
- (3) Accessible parking spaces required: Accessible parking spaces shall be provided in accordance with the requirements of the current edition of the American with Disabilities Act Accessibility Guidelines
- (4) Construction and design standards: Parking and circulation areas shall be designed and constructed in accordance with the Iowa Statewide Urban Design and Specifications (SUDAS) Chapter 12 Parking Lots Sections 1-6.
- (5) Completion or surety required: Prior to the issuance of Certificate of Occupancy all improvements required in accordance with this section must be completed or a performance bond be posted in an amount equal to 125% of the cost estimate of the required improvements to assure completion of the improvements within one (1) year of occupancy..

B. Storm water management: Stormwater runoff from parking and circulation areas shall be controlled in a manner approved by the County Engineer and designed and constructed in accordance with the Iowa Statewide Urban Design and Specifications (SUDAS) Chapter 12 Parking Lots Sections 1-6. Stormwater detention facilities sufficient to capture the runoff of a one hundred (100) year storm shall be placed on the property. The release rate of storm water out of the detention facility shall be restricted so as not to exceed the volume produced by a five (5) year storm when measured at the pre-developed flow rates. The velocity of the water leaving the property shall be reduced so as not to cause erosion. A drainage easement is required where storm water from a property crosses an adjacent property to reach a natural stream or public drainage facility. Enclosed storm sewers require County Engineer approval. If an acceptable pervious paving system is used the requirement to provide onsite stormwater detention can be eliminated.

C. Exceptions: Any exceptions or modifications to the requirements of the parking regulations shall be reviewed using the criteria established for the review of a Special Use permit by making application to the Zoning Board of Adjustment under the procedures and criteria of Section 6-30 C (2) Special Permitted Uses.

6-28. SIGN AND BILLBOARD REGULATIONS

A. General Intent: It is the intent of Scott County to establish effective sign regulation which recognizes public, as well as, private interests and investments in our environment; while regulating the number, size and location of signs; relating signs to the individual use, site and structure; prohibiting unsafe signs; causing the removal of abandoned and nonconforming signs; and to promote and protect the health, safety, welfare, aesthetics, convenience and enjoyment of the residents and visitors of Scott County.

It is also the intent of this Title to promote more effective and equitable sign placement and design compatible with the surroundings and appropriate to the type of activity to which the sign pertains; to encourage greater consideration of influencing factors and thoughtful design of signs; to promote economic and business development; to protect property values; to not disrupt agricultural operations or take agricultural operations out of production; reduce distractions and obstructions which may contribute to traffic hazards and/or accidents; and to enhance and protect the agricultural land, physical appearance and natural beauty of Scott County.

B. Regulation of All Signs: The regulations contained in this Section shall apply to and regulate signs in all Districts. No sign shall be located, erected, or maintained except in compliance with these regulations. Signs, identified in this Section as requiring a permit, shall obtain a building permit and zoning approval prior to construction. Existing signs which currently conform with the zoning ordinance may continue as is, even if it is rendered non-conforming by these new regulations. If existing signs are replaced, enlarged, or significantly altered so as not to comply with the general intent of this Section, the proposed sign shall obtain a building permit and conform with these regulations.

(1) Exemptions: Official traffic or directional signs, warning signs, address signs, information or identification signs erected and maintained by the state, county or any city; subdivision identification signs, historic site markers or plaques and any other sign required or approved by a governmental body are not subject to this Ordinance and do not require a building permit.

(2) Signs Prohibited: No sign other than an official traffic sign shall be placed or encroach into the public or private road right-of-way. No sign shall be erected where it may constitute a traffic hazard by obstructing the vision of drivers or pedestrians, by interfering with any traffic control device, or which may be confused with an official traffic control device by reason of its size, shape, design, or location, content, coloring, or manner of illumination.

(3) Signs at Intersections: Signs located within one hundred (100) feet of a public or private road intersection shall be erected and maintained so that there is an unobscured visual sight area for vehicle operators or pedestrians. The unobscured area, at a minimum, shall extend from a distance of three-and-one-half (3-1/2) feet to fifteen (15)

feet above the traveled portion of the roadway. See Section 6-6.T. "Visual Clearance" for additional restrictions.

(4) On Premise Wall Signs: All signs affixed to the walls, facia, windows or doors of the principal building on the property shall not require a building permit, but shall be limited to no more than 25 per cent coverage per building side. Signage drawn or painted directly on a wall or building surface is permitted, and subject to the 25 per cent coverage requirement per building side.

(5) On Premise Roof Signs: Roof signs are permitted in all Districts, except any residential district. Roof signs shall not project more than six (6) feet beyond the roof line of the building, and may not exceed the District height limit established for principal structures. The width of any roof sign shall not project out beyond any wall or side of the building on which it is placed. A roof sign may project or cantilever by no more than six (6) feet over the plane of the building wall or side which it faces; and in such cases an engineered design shall accompany the building permit. Roof signs require a building permit but shall not be included in the cumulative total area of on premise accessory signage permitted.

(6) On Premise Accessory Signs: A free-standing pedestal, ground, monument, or other detached sign which directs attention to an establishment, business, profession, commodity, service, premises, person or thing which is located, produced, conducted, sold, or offered on the same lot upon which the sign is located. The cumulative total of all detached accessory signs on a property shall not exceed 500 square feet of sign area, including all sides of sign faces, with no single sign face exceeding 250 square feet

(7) Accessory Sign Size and Location Restrictions: In permitted districts, an accessory sign shall not exceed 250 square feet of total surface area per side, if set back at least twenty-five (25) feet from the closest portion of the sign face and the front property line or the distance from the front property line to the principal structure, whichever is less. The front yard setback for free-standing accessory signs may be reduced five (5) feet for every twenty (20) percent reduction from the overall permitted sign area. In no event shall the front yard setback be less than five (5) feet. The total sign area per side shall be limited to two (2) square feet of sign area for every one (1) linear foot of lot frontage, maximum 250 square feet per face, for a free-standing accessory sign. Permitted free-standing accessory sign area is cumulative and the sum total of all detached accessory signs on a property shall not exceed 500 ft² of sign area, including all sides of sign faces, [with no more than 250 square feet of total surface area per side allowed per lot]. There shall be no side yard setback requirements for accessory signs, except on the side of the lot adjoining an "R" District, private residence, school, or church. In that case, the sign may not face the "R" District or land use, unless the sign is ten (10) square feet in surface area or less and not illuminated. For each foot in from the side yard in which the sign is located, the surface area may increase ten (10) percent. At fifty (50) foot side yard setback, the sign may be at the maximum size allowed and illuminated.

(8) Off-Premise signs (Billboards): Billboards are allowed in "CAD-PV" "C-1", "C-2", "I", and "I-F" Districts, if they meet the following restrictions: Maximum billboard area shall be 800 square feet of total surface area per side. Minimum front yard setback from the closest portion of the sign face to the road right of way or easement is fifty (50) feet.

However, the front yard setback may be reduced ten (10) feet for every twenty (20) percent reduction in the permitted billboard area. In no case will the front yard setback be less than ten (10) feet. The minimum spacing between billboard structures shall be five hundred (500) feet, except that a billboard structure may have faces on opposite sides of the structure if only one face can be seen at one time. The maximum height of the billboard, including extensions, is forty-five (45) feet. There shall be no side yard setback requirements for billboards, except on the side of the lot adjoining an "R" District, private residence, school, or church. In that case, the billboard may not be located closer than three hundred (300) feet from the existing building used for residential, religious, or educational uses.

(9) Iowa Department of Transportation (IDOT) Approval: Any proposed sign or billboard along a State or Federal highway must be approved by IDOT along with compliance with the regulations of the Zoning Ordinance.

(10) Electronic message signs and lighted signs: On premise accessory signs shall be limited to no more than 50% of the sign face being used for display of electronic lighted messages. An on premise accessory sign may be entirely constructed as an electronic message sign, but in such a case the sign is limited to no more than 125 square feet of total surface area per side and only one fully electronic message sign may be installed per lot. Such displays shall be limited to scrolled messages or static display with frame effects that dissolve or fade in transition. Full animation, flashing or video display signs are not permitted. Off premise signs (billboards) may have 100% of the sign face being used for display of electronic lighted messages. Such displays shall be limited to static display with frame effects that hold for a minimum of eight seconds and cut to transition to next frame within one second. Full animation, flashing or video display signs are not permitted.

(11) Temporary Signs: Temporary signs are allowed in all zoning districts, and are signs which are temporary in nature due to their inherent design and placement. "Temporary" is considered to be a period of time not to exceed 180 days. Temporary signs may be constructed out of materials such as cardboard, foam core, plastic or plywood, and lack a permanent foundation or footing design, and structural frame. Temporary signs may refer to temporary events, products, and/or services. Some signs may depict ideas or subject matters not inherently temporary, but such signage is nonetheless subject to temporary signage regulations if not permitted as an on premise or off premise advertising sign and/or if its design and placement is temporary in nature. Temporary signs cannot be electronic message signs, and they must be unlit and have no moving parts. As defined, temporary signs are permitted for no longer than 180 days.

Temporary signs shall not be placed or encroach into the public or private road right-of-way, shall not exceed six (6) feet in height, and shall not exceed 25 square feet of total surface area per side. Multiple temporary signs per lot are allowed; if multiple signs are sited on a single lot, the cumulative allowable sign area is 25 square feet including all sides of sign faces.

(12) Permit required: A sign permit is required prior to the installation of any on premise accessory pedestal, ground or roof sign and any off premise sign or billboard. The sign permit fee shall be determined in accordance with the fee schedule of the Scott County International Construction Code.

(13) Future Signs Not in Compliance: Effective at the adoption of this Ordinance, any new sign or billboard erected in unincorporated Scott County without a building permit and in violation of the Zoning Ordinance shall be given thirty (30) days to remove the sign or billboard, or to apply for a variance from the Board of Adjustment. If the property owner does submit a variance application to the Zoning Administrator within the thirty (30) days, or if the Board of Adjustment denies the variance application, the property owner shall remove said sign within seven (7) days of notice of receipt of violation from the Zoning Administrator.

C. Illumination Standards: All proposals for electronic and lighted signs require review and approval of the Zoning Administrator. Such proposals shall include site plan, a sketch of the sign and adjoining areas which may be affected by the sign. All lighting shall be directed away from adjacent residential land uses and roadways, in order to avoid glare upon adjacent properties and vehicular traffic. The applicant may appeal any decision of the Zoning Administrator to the Board of Adjustment.

(1) Signs utilizing external lighting must be located so that light does not extended beyond the illuminated sign face and create light spillage onto adjacent properties, residences, and rights-of-way.

6-29. SITE PLAN REVIEW

A. Purpose: In accordance with the Comprehensive Plan of Scott County, it is essential that new developments and substantial improvements to existing developments or the change in use or re-occupancy of existing developments meet established minimum standards for the design and improvement of such developments, to insure adequate provisions for public/private utilities; such as sewer, water, and roads, and to promote the health, safety, and general welfare of the public.

B. Application: Prior to issuance of building permit for any new development, substantial improvement to any existing development, change in use of any existing development or the re-occupancy of a building that has been vacant for one (1) year or greater, approval of a Site Plan Review by the Planning and Zoning Commission is required. A site plan review is required whenever a person, firm, corporation or other group wishes to develop, re-develop, or re-occupy a tract of land for multi-family dwelling units, commercial, office, institutional, or industrial use. If the proposed use is a principal permitted use within that Zoning District, the Planning and Zoning Commission will review the site plan. For special permitted uses, the site plan will be reviewed by the Commission and the Special Use permit will be reviewed by the Zoning Board of Adjustment.

C. Procedure: The developer shall submit a letter of application and 10 copies of the site plan to the Zoning Administrator, who will determine if all necessary information is provided for review. Once all the required information is received, the Zoning Administrator shall forward copies of the Site Plan to the County Engineer and the County Health Officer for their review and recommendation. A copy of the Site Plan shall also be sent to all adjoining property owners. The Zoning Administrator will schedule a review by the Planning and Zoning Commission at the next regular meeting beyond fifteen (15) days of official receipt.

(1) The Planning and Zoning Commission shall review the Site Plan proposal at said meetings and receive a site report from the County Engineer, the County Health Officer, the Zoning Administrator and receive comments from the public. The Commission shall

make its determination of conditions for approval of the site plan within thirty-five (35) days of the first meeting. If no action is forth coming within the thirty-five (35) days, the site plan shall be deemed approved and a building permit may be issued.

(2) The developer may appeal the conditions of the Planning and Zoning Commission placed on the proposed development by notifying in writing the Board of Supervisors. Such appeal shall be made within thirty (30) days of the Commission's decision and shall specify what relief is requested of the Board of Supervisors. The Board shall hear said appeal at a committee of the whole meeting within fifteen (15) days and act upon the appeal at a regular Board meeting within thirty (30) days of appeal receipt.

(3) A building permit may only be issued after Planning and Zoning Commission approval or decision of the Board of Supervisors on appeal.

D. Site Plan Review Standards: The standards of site design listed below are intended only as minimum requirements, so that the general development pattern in rural Scott County may be adjusted to a wide variety of circumstances and topography, and to insure reasonable and orderly growth in rural Scott County.

(1) All proposed developments shall conform to the Land Use Policies of the 2008 Comprehensive Plan of Scott County, as amended; the Scott County Zoning and Subdivision Ordinances standards and procedures, where applicable; such other County ordinances as may pertain to such developments; and any applicable administrative rules of the Iowa Department of Transportation, Iowa Department of Health, Iowa Department of Natural Resources, and other agencies of the State of Iowa.

(2) All parking shall be provided in accordance with the provisions of Section 6-23 Vehicular Parking and Loading Provisions. Prior to issuance of a building permit a performance bond shall be posted with the Scott County Planning and Development Department to secure all required parking and circulation area improvements in accordance with the requirements of the County Engineer.

(3) The proposed development shall be designed with appropriate regard for topography, surface drainage, natural drainage ways and streams, wooded areas, and other naturally sensitive areas which lend themselves to protection from degradation. Applicant may be required to submit engineering studies and plans to state how the applicant will protect the sensitive environment at applicant's expense. A soil erosion control plan is required if more than one (1) acre of land is proposed to be disturbed during construction.

(4) The proposed development shall be designed with adequate water supply and sewage treatment facilities and storm water drains and structures necessary to protect the public health and welfare by not overloading existing public utilities. Runoff from development shall not be outletted into roadside drainage facilities in excess of the existing runoff prior to development. Applicant may be required to submit engineering plans to show how the applicant will manage storm water runoff to a 25-year rainstorm.

(5) The proposed development shall be designed, and the buildings and improvement shall be located within the tract or parcel in such a manner as not to unduly diminish or impair the use and enjoyment of adjoining or surrounding property. And to such end, the developer shall provide for such fences, landscaping and other improvements as are deemed proper and necessary to buffer the proposed use from the existing or surrounding land uses. A landscaping plan plus the agreement to implement the plan is

required for any building exceeding 10,000 square feet. Applicant may be required to submit a plan drawn up by a landscaping firm or nursery.

(6) The proposed development shall be designed not to unduly increase the public danger of fire, explosion, and other safety hazards on the general public and the persons residing or working in adjoining or surrounding property.

E. Information on Site Plan: The purpose of the Site Plan is to show the facts needed to enable the Planning and Zoning Commission to determine whether the proposed development meets the requirements of this Ordinance and complies with the standards listed in paragraph D above.

(1) Location map showing relationship to surrounding roads, streams, and public facilities.

(2) Scale of Site Plan shall not be more than one (1) inch to equal fifty (50) feet. Scale shall be shown in legend.

(3) Name and address of land owner and developer.

(4) Date, north marker, name of proposed development.

(5) Existing buildings, utilities, railroads, rights-of-way, easements, location, and name of existing roads, stands of trees, and drainage ways.

(6) Location and name of adjoining subdivisions, subdivision lots therein, and names of the adjoining landowners.

(7) Existing and proposed contour lines at intervals of two (2) feet, with a minimum of two (2) contours.

(8) Zoning district classification; type of water supply and sewage disposal and storm water management.

(9) Other information as deemed necessary to describe how the standards in paragraph D above will be satisfied.

(10) Proposed location of buildings, access to parking lots, traffic flows, changes in ground-elevation, landscaping to be removed and added, signs, lights, waste bins, outdoor storage areas, loading areas, fences/walls, etc.

F. Fees: When the site plan materials are submitted, the owner/developer shall pay a fee based on the fee schedule approved by the Board of Supervisors.

6-30. ZONING BOARD OF ADJUSTMENT PROCEDURES

A. Membership: A Zoning Board of Adjustment, hereafter referred to in this Section by the word "Board", is hereby established. Such Board shall consist of five (5) members, a majority of whom shall reside within the County, but outside the corporate limits of any city, appointed by the Board of Supervisors. The five (5) members of the Board shall be the same Board members as existed under the previous zoning ordinance. Said Board shall serve out their unexpired terms and are eligible for re-appointment. Terms shall be for five (5) years, and vacancies shall be filled for the unexpired term of any member whose position becomes vacant. The Board of Supervisors shall have the power to remove any member of the Board for cause upon written charges and after a public hearing.

B. Rules - Meetings: The Board shall adopt rules in accordance with the provisions of this Ordinance and the Iowa Code. The Board shall elect its own chairman at the first meeting of the calendar year, who shall serve for the calendar year. Meetings will be established by the rules and shall be open to the public. The chair, or in the chair's

absence, the vice chair, shall conduct the meetings. Three (3) members present shall constitute a quorum. The Board shall keep minutes of the proceedings showing the vote of each member upon each question, and all such material and related upon each question, and all such material and related documents shall be immediately filed in the Department of Planning and Development and shall be a public record.

C. Powers, Duties and Considerations: The Board shall have the following powers and it shall be its duty:

(1) To hear and decide appeals of interpretation where it is alleged there is an error in any order, requirement, decision, or determination made by the Zoning Administrator in the enforcement of this Ordinance or of any supplement or amendment.

(a) Appeals of interpretation may be taken by any person, or by an officer, department, board or commission of the County aggrieved by such interpretation. Once notified in writing of the decision and its justification, the aggrieved party has fifteen (15) days to appeal to the Board by filing an appeal in writing with the Department of Planning and Development. Said appeal shall specify the grounds for appeal. The Zoning Administrator shall forward the appeal and all related papers which constitute the record upon which the appeal was taken to the Board of Adjustment.

(b) Appeals to interpretation may relate to Zoning District boundary line location, the use of the building or premises, the applicability of zoning standards to the specific site, and other similar matters.

(2) To hear and decide an application for Special Permitted Uses as provided for the Zoning Districts for this Ordinance.

(a) Applications for Special Permitted Uses shall be submitted to the Board through the Department of Planning and Development on the application form provided. The applicant will provide a site plan as prescribed in Section 6-25 and a written explanation of the proposed special use which describes when it would be started and completed, how it will operate, how it will satisfy a need for such a use in that particular location. The Zoning Administrator shall forward the application and all related papers to the Board for their review decisions.

(b) Before the issuance of a special 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 any 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.

(c) 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 Ordinance, and to adhere to the Land Use Policies of the 2008 Comprehensive Plan, as amended.

(3) To authorize, upon appeal, such variance(s) from the terms of this Ordinance where because of the unusual circumstances, a literal enforcement of the provisions of this Ordinance will result in unnecessary hardship, and so that the spirit of the Ordinance be observed and substantial justice done.

(a) Appeals for a variance may be made by the landowner, potential buyer or developer, or operator/manager of land, who has applied for a building permit and been denied

because the proposed development does not comply with the specific regulations of this Ordinance. The same appeals process is required for previously constructed structures which were built in violation of this Ordinance. Applicant has fifteen (15) days from building permit denial to appeal to the Board by completing the appeal form in the Department of Planning and Development. Said appeal should state the specific variance requested and the reasons for which the appeal should be granted. The Zoning Administrator shall forward the appeal and all related papers which constitute the record upon which this appeal was taken to the Board of Adjustment.

(b) Before deciding on the variance appeal, the Board will hold a public hearing and shall determine if one of the two following conditions has occurred:

i. When because of an exceptional situation, topographical condition, surroundings, size, shape or other condition of a specific piece of property of record, the strict application of any provision of this Ordinance would result in peculiar and exceptional practical difficulties or particular hardship upon the owner of such property and amount to a practical confiscation, the Board may vary the application of the regulations imposed by this Ordinance subject to the restrictions in the following paragraphs.

ii. When the applicant for a variance can show that the hardship is a compelling force and not a perceived one, the hardship was created by this Ordinance and not the applicant, and the strict application of the Ordinance precludes its use for any purpose to which the land is reasonably adapted.

(4) To hear and decide variances to Sections 6-21, 6-22, 6-23, and 6-24 concerning the flood plain districts, variances granted must meet the following applicable standards.

(a) No variance shall be granted for any development within the Floodway District which would result in any increase in the 100-year flood level. Consideration of the effects of any development on flood levels shall be based upon the assumption that an equal degree of development would be allowed for similarly situated lands.

(b) Variances shall only be granted upon (i) a showing of good and sufficient cause, (ii) a determination that failure to grant the variance would result in exceptional hardship to the applicant, and (iii) a determination that the granting of the variance will not result in increased flood heights, additional threats to public safety, or extraordinary public expense; create nuisances, or cause fraud on or victimization of the public.

(c) Variances shall only be granted upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.

(d) In cases where the variance involves a lower level of flood protection for buildings than what is ordinarily required by this Ordinance, the applicant shall be notified in writing over the signature of the Zoning Administrator that (i) the insurance of a variance will result in increased premium rates for flood insurance up to amounts as high as \$25 per \$100 of insurance coverage and (ii) such construction increases risks to life and property.

(e) All variances granted shall have the concurrence or approval of the Iowa Department of Natural Resources.

(f) In passing upon requests for Flood Plain Variances, the Board shall consider all relevant factors specified in other sections of this Ordinance and:

i. The danger to life and property due to increased flood heights or velocities caused by encroachments.

- ii. The danger that materials may be swept on to other lands or downstream to the injury of others.
- iii. The proposed water supply and sanitation systems and the ability of these systems to prevent disease, contamination and unsanitary conditions.
- iv. The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner.
- v. The importance of the services provided by the proposed facility to the community.
- vi. The requirements of the facility for a flood plain location.
- vii. The availability of alternative locations not subject to flooding for the proposed use.
- viii. The compatibility of the proposed use with existing development and development anticipated in the foreseeable future.
- ix. The relationship of the proposed use to the comprehensive plan and flood plain management program for the area.
- x. The safety of access to the property in times of flood for ordinary and emergency vehicles.
- xi. The expected heights, velocity, duration, rate of rise and sediment transport of the floodwater expected at the site.
- xii. Such other factors which are relevant to the purpose of this ordinance.

D. Conditions for Granting Variances: No variation in the application for the provisions of this Ordinance shall be made in the instances specified above unless and until the Board shall be satisfied that granting the variance will not:

- (1) Merely serve as a convenience to the applicant and is necessary to alleviate demonstrable hardship or difficulty so great as to warrant the variance.
- (2) Impair the general purpose and intent of the Development Plan as established by the regulations and provisions contained in this Ordinance.
- (3) Impair an adequate supply of light and air to adjacent property.
- (4) Increase the hazard from fire and other danger to said property.
- (5) Diminish the value of land and buildings elsewhere in the County.
- (6) Increase the congestion and traffic hazards on public roads.
- (7) Otherwise impair the public health, safety, and general welfare of inhabitants of the County.

E. Conditions to be Placed on the Granting of Flood Plain Variances: Upon consideration of the factors listed in C.(4) above, the Board may attach such conditions to the granting of flood plain variances as it deems necessary to further the purpose of this ordinance. Such conditions may include, but not necessarily be limited to:

- (1) Modification of waste disposal and water supply facilities.
- (2) Limitation on periods of use and operation.
- (3) Imposition of operational controls, sureties, and deed restrictions.
- (4) Requirements for construction of channel modification, dikes, levees, and other protective measures, provided such are approved by the Department of Natural Resources and are deemed the only practical alternative to achieving the purposes of this ordinance.
- (5) Floodproofing measures. Floodproofing measures shall be designed consistent with the flood protection elevation for the particular area, flood velocities, durations, rate of rise, hydrostatic and hydrodynamic forces, and other factors associated with the regulatory flood. The Board of Adjustment shall require that the applicant submit a plan

or document certified by a registered professional engineer that the floodproofing measures are consistent with the regulatory flood protection elevation and associated flood factors for the particular area.

F. General Procedures: A person, firm, or corporation may apply for a variance, special permitted use, or appeal of interpretation to this Ordinance for a particular parcel of land within Scott County by filing an appeal with the Zoning Administrator. The applicant(s) may be the landowner, the current or prospective tenant, lessee, or operator of the property, if applicable. If the applicant is not the landowner, the landowner must co-sign the application. Cases must be filed a minimum of ten (10) days prior to the Board meeting.

(1) The Zoning Administrator will prepare notice of the public hearing stating the location of the property and a brief description of the nature of the application, and the time and place of the public hearing in the following manner.

(a) Notify all owners of property located within five hundred (500) feet in all directions from the property in question by common mail at least five (5) days prior to the Board meeting.

(b) Prominently display an informational sign on the applicant's site.

(c) Notify the County Engineer and County Health Officer and allow them time to reply, if applicable.

(2) At the public hearing, any person may appear and testify either in person or by duly authorized person or attorney, or in writing received by noon of the meeting day. For all appeals and applications, the burden of proof rests with the applicant.

(3) Voting: In exercising the powers of subsection C above, the Board may reverse, affirm, or modify the request, in whole or in part. The concurring vote of three (3) members of the Board shall be necessary to approve an application for a variance or special use permit or reverse the Zoning Administrator's interpretation.

The Board's decision shall affect the property described in the application and does not terminate with the change of ownership unless specifically stated in the Board's decision. As long as subsequent owners continue to use the building or property as stipulated in the Board's decision, additional review or application is not necessary. Every decision of a Board case will result in a written decision which specifies the reasons for granting or denying an appeal or application or stipulates the conditions upon which a variance or special permitted use is approved (if applicable).

(4) Notification of Board's Decision: The Zoning Administrator shall notify the applicant by written letter of the official decision of the Board within fifteen (15) days of decision.

(5) Right to Appeal Decision: Any person or persons jointly or separately aggrieved by any decision of the Board under the provisions of this Ordinance, or any taxpayer, or any officer, department, board, or commission of the County may present to District Court a petition, duly verified, setting forth that such decision is illegal or in error, in whole or in part, specifying the grounds of illegality or error. Such petition shall be presented to the Court within thirty (30) days after the decision by the Board.

(6) Variations of Flood Plain Elevation Requirements: All variances granted in the designated flood plain shall have the concurrence or approval of the Iowa Department of Natural Resources. The Zoning Administrator shall notify the applicant that the issuance of a variance to locate a structure at an elevation below the 100-year flood level will result in increased premium rates for flood insurance coverage, up to amounts as high as twenty-five dollars (\$25) for one hundred dollars (\$100) insurance coverage,

and that such construction below the base flood increases risks to life and property. Such notification shall be maintained with a record of all variance actions.

(7) Filing Fee: All applications shall pay a fee based on the fee schedule approved by the Board of Supervisors.

(8) Time Limit on Board Decision: If the property granted a variance or special use permit is not developed as allowed within two (2) years of Board action, the Board may, after seven (7) days' notice in writing to the landowner, initiate action to rescind the variance or special use permit granted. This can occur only after a public hearing before the Board at a regular meeting.

6-31. ZONING AMENDMENT PROCEDURES

A. General Authority: The Board of Supervisors may from time to time, on its own action or on petition from the Planning and Zoning Commission or an individual or group, after public notice and hearings as provided by law, and after report by the County Planning and Zoning

Commission, amend, supplement, or change the boundaries or regulations herein or subsequently established, and such amendment shall not become effective except by the favorable vote of a majority of all the members of the Board of Supervisors.

B. Procedure: A person, firm, or corporation or the Commission may initiate any zoning text or map amendment of this Ordinance by filing a request with the Zoning Administrator. A Zoning Map amendment by anyone other than the Commission requires a signed petition by the owners of at least fifty (50) percent of the area of all the real estate included within the boundaries of the area to be rezoned. Said petition shall contain a legal description of the real estate for which rezoning is requested, the existing zoning classifications and the requested zoning classification, and a statement of intended use and how such use complies with the Land Use Policies of the 2008 Comprehensive Plan of Scott County, as amended; and the Scott County Zoning Ordinance standards and procedures, as deemed applicable. Also, the applicant shall provide thirteen (13) copies of a site plan or plat. Rezoning filing fees will be charged for the two stages based on the fee schedule approved by the Board of Supervisors.

(1) The Zoning Administrator, upon receipt of all required material, shall establish a rezoning public hearing date at least eighteen (18) days and not more than thirty (30) days from date of filing before the Planning and Zoning Commission. The notice of said rezoning shall be conspicuously posted on the land for which the rezoning is requested and notice mailed to landowners of record within five hundred (500) feet of said property.

(2) Upon receipt of any petition to amend the Zoning Ordinance, the Zoning Administrator shall forward a copy of the petition and a Site Plan to the County Engineer; the County Board of Health; the SCS District Conservationist; the Bi-State Metropolitan Planning Commission; and to the planning staff of the city (if located within two (2) miles of a city with a zoning ordinance). The materials will be submitted to each department with a request to review and comment in writing prior to the Planning and Zoning Commission holding its public hearing.

(3) The Commission, after the public hearing, shall act within thirty (30) days to recommend approval or disapproval to the Board of Supervisors. Once the recommendation is made, the applicant has seven (7) days to submit the Board of Supervisors public hearing filing fee. If received, the Zoning Administrator shall forward

the petition to the Board of Supervisors to be on a Board meeting agenda within thirty (30) days of receipt. If the filing fee is not received within seven (7) days, the Zoning Administrator shall notify the applicant by common mail that the rezoning process has been terminated.

(4) The Board of Supervisors shall receive the recommendation of the Commission and review it prior to a public hearing. The Zoning Administrator shall publish public notice in an official County newspaper, at least four (4) days and not more than twenty (20) days prior to the public hearing, and to re-notify all property owners of record within five hundred (500) feet of the property for which the rezoning is requested.

(5) At the public hearing, the Board will hear the applicant's request, the Commission's recommendation, and comments from the public concerning the zoning text or map amendment. The Board may hold the first reading after the public hearing or delay any action until the next regular meeting. A second reading and publication in conformance with State law is required before the text or map amendment is effective.

(6) In case the proposed amendment or rezoning is disapproved by the Planning and Zoning Commission, or a protest be presented, duly signed by the owners of twenty (20) percent or more, either of the area included in such proposed change, or of the area immediately adjacent thereto and within five hundred (500) feet of the boundaries thereof, such rezoning shall not become effective unless four (4) members of the Board of Supervisors cast a favorable vote.

(7) If the property is rezoned, and the property is not developed for eligible uses in whole or in part within two (2) years from such rezoning, or unless there exists an unexpired building permit for the development thereof at the end of such two (2) years, the Planning and Zoning Commission, may notify the current owner(s) of the area rezoned the Commission will initiate action to rezone the property to its previous zoning classification following these established procedures.

6-32. COMMUNITY AREA DEVELOPMENT ADMINISTRATION

A. General Intent: This Ordinance recognizes the two Community Area Developments (CAD's) created by an earlier edition of the Zoning Ordinance, Village Oaks and Park View. The plans which were approved in conformance with Section 29 of the 1951 Scott County Zoning Ordinance with amendments remain in effect. This section describes the procedures for amending a CAD, but does not permit the creation of any new community area developments in Scott County.

B. Scope: Park View Development, located in portions of Sections 30 and 31, Butler Township; and Village Oaks Development, located in a portion of Section 18, Buffalo Township; are conforming CAD's in unincorporated Scott County.

C. Plans Recognized as Basis for Future Development: All undeveloped portions of the two CAD's shall be developed in accordance with plats, restrictive covenants, and the Statement in Support on file in the Department of Planning and Development. Village Oaks will develop according to the recorded subdivision plats. Park View will develop according to the colored development plan approved by the County in 1966 and as amended in accordance with the procedures established in the Revised Zoning Ordinance adopted April 2, 1981.

D. Zoning District Regulations applicable to approved CAD Areas: This ordinance has two zoning districts applicable to these two existing CAD Areas. "CAD-R" Community Area Development Residential District applies to the residential areas of both Village

Oaks and Park View, "CAD-PVC" Community Area Development Park View Commercial District only applies to the commercial areas of Park View.

E. Procedure for Amending the CAD Plans: The Commission, developer, or the owners of at least fifty percent (50%) of the area to be changed may file a request with the Zoning Administrator . The request shall contain a legal description of the real estate to be amended, a plat showing the existing plan and the requested change in land use, and a statement of how the proposed use complies with the Scott County Comprehensive Plan and the adopted Land Use Policies. If several land owners are filing the request, they must submit a signed petition stating their address and the amount of land they own.

(1) The Zoning Administrator, upon receipt of all required material, shall establish a public hearing date at least eighteen (18) days and not more than thirty (30) days from date of receipt before the Planning and Zoning Commission. The notice of the proposed development plan change shall be conspicuously posted on the land affected by the proposed change and notices mailed to the appropriate Homeowners Association and landowners of record within five hundred (500) feet of said property.

(2) The Zoning Administrator shall forward a copy of the application and development proposal to the County Engineer and the County Board of Health for their review and comments prior to the public hearing.

(3) The Commission will hold the public hearing on the date published and will consider comments from the applicant, neighboring property owners, County departments, and the general public. The Commission shall act within thirty (30) days of public hearing to recommend approval or disapproval of the application to the Board of Supervisors.

(4) The Board of Supervisors shall receive the recommendation and hold a public hearing on the earliest regular meeting date after public notice in the official County newspapers at least four (4) days and not more than twenty (20) days prior to the public hearing. All persons or businesses previously notified shall be renotified of this public hearing. The Board of Supervisors shall consider all information received at the public hearing and then vote to approve or disapprove the proposed plan amendment by adopting a Resolution.

(5) The Resolution and all associate plats and agreements will be filed in the Planning and Development Department to carry out the amendment. The applicant will also file the plat and the Board's Resolution in the Recorder's office.

(6) As applicable, the developer will proceed with a subdivision review, in accordance with the Subdivision Ordinance and a Site Plan Review, in accordance with the Zoning Ordinance, Section 6-29.

6-33. ZONING ADMINISTRATOR DUTIES

A. The Board of Supervisors shall appoint a person to be the Zoning Administrator whose duties shall include the responsibility to administer and enforce this Ordinance. The Zoning Administrator may be provided with assistance of such other persons as the Board of Supervisors may direct.

B. Duties: The Zoning Administrator duties shall include but not be limited to:

(1) Reviewing all development proposals to insure compliance with the Zoning District in which the proposal is located,

(2) Processing all applications for variances, special use permits, and zoning text and map amendments to insure compliance with this Ordinance,

- (3) Providing a staff report on all pending cases to the Board of Adjustment, Planning and Zoning Commission, and the Board of Supervisors,
- (4) Insuring that proper procedures are followed for public notices, and that official decisions and minutes are kept of Board of Adjustment and Planning and Zoning Commission meetings,
- (5) Reviewing applications for agricultural exemptions and providing a written determination to the applicant,
- (6) Reviewing applications for Home Occupation and Home Industry permits and providing a written determination to the applicant, and
- (7) Making determinations and taking appropriate action on zoning violations.

C. Notice of Writing: If the Zoning Administrator finds any provision of this Ordinance violated, the Zoning Administrator shall notify in writing, the person responsible for such violation, indicating the nature of the violation, what provision was violated, and ordering the action necessary to correct it. The Zoning Administrator shall order illegal use of land to discontinue; or shall take any other action authorized by this Ordinance to insure compliance with or to prevent violation of this Ordinance.

6-34. OCCUPANCY PERMITS

A. No land shall be occupied or used, and no building hereafter erected, or structurally altered, shall be occupied or used in whole or in part, for any purpose whatsoever, until a Certificate of Occupancy is issued by the Building Official. The Building Official shall not issue a Certificate of Occupancy until an inspection is made to insure that the building or part of the building meets the minimum standards of the Scott County International Construction Codes and the proposed use complies with the Zoning District on which the land and/or building is located.

B. The Building Official, upon the finding that a building hereafter erected or structurally altered is occupied or used in whole or in part without obtaining the Certificate of Occupancy, shall immediately notify in writing the occupants and builder (if applicable) or post the alleged violation prominently on said property or building and require compliance with the Scott County Uniform Construction Codes and Zoning Ordinance within seven (7) days of receipt of notice. If compliance is not forthcoming within the seven (7) days following receipt, the building shall be deemed in violation of the Zoning Ordinance and shall immediately be vacated. Each day that a violation is permitted to exist shall constitute a separate offense.

6-35. MUNICIPAL INFRACTION

A. Any person, persons, firm, partnerships or corporations, whether acting alone or in concert with any other, who violates this ordinance shall be guilty of a municipal infraction and shall be penalized as set forth in Chapter 29 of the County Code of Scott County, Iowa.

B. Alternative to immediate legal actions: Within fourteen (14) days of receipt of written notice, the responsible party must either 1) eliminate the zoning violation(s), or 2) apply for a zoning change or variance which will correct the violation.

The Zoning Administrator may delay legal action against the responsible party (parties) if the violator files a request for an Agreement to Abate within fourteen (14) days of receipt of written notice of the violation. This provision is provided to allow additional, reasonable time to comply with the zoning regulations when costs, weather conditions or other unusual circumstances make compliance within fourteen (14) days extremely

difficult or nearly impossible. The Planning and Zoning Commission will consider the request to enter into an Agreement to Abate at their next regular meeting.

C. Agreement to Abate Terms: The Planning and Zoning Commission will consider the request for an Agreement to Abate based upon the degree of difficulty faced by the responsible party (parties) in eliminating the zoning violation. The Agreement to Abate is a voluntary binding agreement which stipulates the violation(s), the expiration date of the special extended abatement period, and what must be done to achieve compliance with the zoning regulation(s). In voluntarily signing this agreement, the violator also agrees to waive the right to appeal the County's determination that a zoning violation exists, and consents and agrees that if the abatement is not eliminated in the extended abatement period, the County or its agents may enter the property and abate the violation. The violator agrees to pay all costs of abatement.

6-36. VALIDITY AND SEVERABILITY

Should any section or provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the Ordinance as a whole, or any part thereof other than the part so declared to be invalid.

Moved by Earnhardt, seconded by Sunderbruch that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) That the proposal for the Planning & Development relocation and the Juvenile Detention expansion project design services from Wold Architects and Engineers is hereby approved and awarded in an amount not to exceed \$26,790.00. 2) That the Director of Facility & Support Services is hereby authorized to execute contract documents on behalf of the Scott County Board of Supervisors. 3) This resolution shall take effect immediately.

Moved by Earnhardt, seconded by Kinzer that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) That the bid for the Administrative Center interior signage project is hereby approved and awarded to Takeform in the amount of \$15,012.69. 2) This resolution shall take effect immediately.

Moved by Kinzer, seconded by Earnhardt that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) The hiring of Terri Ranes for the position of part-time Custodial Worker in the Facilities & Support Services Department at the entry level rate. 2) The hiring of R. Blake Norman for the position of Attorney I in the Attorney's Office at the rate of \$65,000/year.

Moved by Kinzer, seconded by Holst that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) The appointment of Mahesh C. Sharma for the position of County Administrator at a starting salary of \$172,000/year is hereby approved. 2) The terms of employment as presented in the employment agreement are hereby approved. 3) This resolution shall take effect immediately.

Moved by Holst, seconded by Earnhardt that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) That purchase of TAC Feature EDACS to P25 Trunking Code and TAC Feature P25 Phase II TDMA, for Scott County Health Department radio equipment, in the amount of \$14,535.00, is hereby approved.

Moved by Sunderbruch, seconded by Earnhardt that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) A public hearing date on an amendment to the County's current FY16 Budget is set for Thursday, May 19, 2016 at 5:00 p.m. 2) The County Auditor is hereby directed to publish notice of said amendment as required by law. 3) This resolution shall take effect immediately.

Moved by Sunderbruch, seconded by Holst a motion approving a cigarette/tobacco permit for Locust Mart. All Ayes.

Moved by Sunderbruch, seconded by Earnhardt that the following resolution be approved. Roll Call: All Ayes.

BE IT RESOLVED: 1) The Scott County Board of Supervisors approves for payment all warrants numbered 275990 through 276244 as submitted and prepared for payment by the County Auditor, in the total amount of \$909,875.37. 2) This resolution shall take effect immediately.

Moved by Earnhardt, seconded by Kinzer a motion to adjourn. All Ayes.

Jim Hancock, Chair of the Board
Scott County Board of Supervisors

ATTEST: Roxanna Moritz
Scott County Auditor

Scott County Board of Supervisors
May 17, 2016 8:00 a.m.

The Board of Supervisors met as a committee of the whole and pursuant to adjournment with Kinzer, Sunderbruch, Holst, Hancock and Earnhardt present.

Moved by Earnhardt, seconded by Kinzer at 8:30 a.m. a motion to adjourn. All Ayes.

Jim Hancock, Chair of the Board
Scott County Board of Supervisors

ATTEST: Roxanna Moritz
Scott County Auditor

Scott County Board of Supervisors
May 19, 2016 5:00 p.m.

The Board of Supervisors met pursuant to adjournment with Kinzer, Sunderbruch, Holst, Hancock and Earnhardt present. The Board recited the pledge of allegiance.

Moved by Sunderbruch, seconded by Earnhardt approval of the minutes of the May 5, 2016 Regular Board Meeting and the minutes of the May 17, 2016 Committee of the Whole Meeting. All Ayes.

Moved by Sunderbruch, seconded by Earnhardt a motion to open a public hearing relative to an amendment to the Scott County FY16 Budget. All Ayes.

David Farmer, Budget Manager, discussed FY16 amendment with the Board. No one from the public addressed the Board.

Moved by Sunderbruch, seconded by Holst a motion to close the public hearing. All Ayes.

Moved by Earnhardt, seconded by Kinzer that the following resolution be approved. Four Ayes, with Holst voting Nay.

BE IT RESOLVED: 1) Change Order #3 in the amount of \$40,878.91 is hereby approved. 2) That the Director of Facility & Support Services is authorized to sign Courthouse Phase 3 & 4 Change Order #3. 3) This resolution shall take effect immediately.

Moved by Kinzer, seconded by Earnhardt that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) The hiring of Bradley Rubino for the position of Correction Officer in the Sheriff's Office at the entry level rate.

Moved by Sunderbruch, seconded by Earnhardt that the following resolution be approved. Roll Call: All Ayes.

BE IT RESOLVED: 1) A budget amendment to the current FY16 County Budget as presented by the County Administrator is hereby approved as follows:

SERVICE AREA	FY16 AMENDMENT AMOUNT
Public Safety and Legal Services	\$232,878
Physical Health and Social Services	\$12,050
Mental Health, ID & DD	\$1,349,703
County Environment and Education	\$273,471
Roads and Transportation	\$0
Government Services to Residents	\$0

Administration	\$187,175
Non-Program Current	\$0
Debt Service	\$0
Capital Projects	\$648,676
Operating Transfers Out	\$470,845

2) This resolution shall take effect immediately.

Moved by Sunderbruch, seconded by Holst that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) Iowa Code Chapter 445.16 states that if the County Treasurer makes a recommendation to the Board of Supervisors to abate taxes the collection of which is determined to be impractical, the Board of Supervisors shall abate the tax interest and costs. 2) The County Treasurer is hereby directed to strike the balance of the following Parcel. Parcel; Deed Owner/ Contract Buyer; Tax Year; Interest. 931403603-BL; A&J Feed & Seed; 2014; \$274.00. 3) This resolution shall take effect immediately.

Moved by Sunderbruch, seconded by Earnhardt that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) That the submission of Community Based Intervention Program proposal to Juvenile Court Services be approved. 2) This resolution shall take effect immediately.

Moved by Sunderbruch, seconded by Kinzer that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) That the appointment of Dale Barber, Bettendorf, Iowa to the Public Safety Authority for a six (6) year term expiring on June 30, 2022 is hereby approved. 2) This resolution shall take effect immediately.

Moved by Sunderbruch, seconded by Kinzer that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) That the appointment of John Maxwell, Donahue, Iowa, to the Benefited Fire District #5 for a three (3) year term expiring on July 19, 2019 is hereby approved. 2) This resolution shall take effect immediately.

Moved by Sunderbruch, seconded by Kinzer a motion approving cigarette / tobacco permit renewals for Kwik Shop #589, Mt. Joy BP/Amoco and Casey's General Store #1068, and a liquor license renewal for Locust Mart and a Dixon Memorial Park (6 month term) liquor license. All Ayes.

Moved by Sunderbruch, seconded by Kinzer that the following resolution be approved. Roll Call: All Ayes.

BE IT RESOLVED: 1) The Scott County Board of Supervisors approves for payment all warrants numbered 276256 through 276526 as submitted and prepared for payment by the County Auditor, in the total amount of \$2,573,889.27. 2) The Board of Supervisors approves for payment to Wells Fargo Bank all purchase card program transactions as submitted to the County Auditor for review in the amount of \$101,697.60. 3) This resolution shall take effect immediately.

Moved by Earnhardt, seconded by Kinzer a motion to adjourn. All Ayes.

Jim Hancock, Chair of the Board
Scott County Board of Supervisors

ATTEST: Roxanna Moritz
Scott County Auditor

Scott County Board of Supervisors
May 31, 2016 8:00 a.m.

The Board of Supervisors met as a committee of the whole and pursuant to adjournment with Sunderbruch, Holst, Hancock, Earnhardt and Kinzer present.

Moved by Earnhardt, seconded by Kinzer at 9:10 a.m. a motion to adjourn. All Ayes.

Jim Hancock, Chair of the Board
Scott County Board of Supervisors

ATTEST: Roxanna Moritz
Scott County Auditor

The Board of Supervisors met pursuant to adjournment with Sunderbruch, Holst, Hancock, Earnhardt and Kinzer present. The Board recited the pledge of allegiance.

Moved by Sunderbruch, seconded by Earnhardt approval of the minutes of the May 19, 2016 Regular Board Meeting and the minutes of the May 31, 2016 Committee of the Whole Meeting. All Ayes.

Moved by Earnhardt, seconded by Holst that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) That the Board of Supervisors wants to offer their sincere appreciation to Dee F. Bruemmer for her 7+ years of dedicated service to Scott County. 2) That the Board of Supervisors extends their very best wishes to Dee F. Bruemmer to enjoy all her future endeavors. 3) This resolution shall take effect immediately.

Moved by Earnhardt, seconded by Kinzer a motion to open a public hearing relative to the construction permit application of Scott Wolf for the expansion of an existing hog confinement operation in Cleona Township. All Ayes.

Scott Wolf, 25279 1st Avenue, New Liberty, applicant, spoke to the board regarding his desire to construct a second building and described his use of an odor reducing chemical in the hog manure pits.

Moved by Earnhardt, seconded by Kinzer a motion to close the public hearing. All Ayes.

Moved by Earnhardt, seconded by Sunderbruch that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) That the plans, specifications, and letting date be approved for HMA Project L-617 on 100th Avenue. The letting will be set for June 28, 2016 at 10:00 A.M. 2) That the Chairman be authorized to sign the contract documents on behalf of the Board. 3) That this resolution shall take effect immediately.

Moved by Earnhardt, seconded by Kinzer that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) That the substantial completion date of April 12, 2016 is hereby approved. 2) That the Secondary Roads Maintenance Facility Project and work of Daxon Construction is hereby accepted. 3) This resolution shall take place immediately.

Moved by Kinzer, seconded by Sunderbruch that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) The hiring of Kyle Jager for the position of Correction Officer in the Sheriff's Office at the entry level rate. 2) The hiring of Keriann Wilder for the position of Community Dental Consultant in the Health Department at the entry level rate.

Moved by Kinzer, seconded by Holst that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) That General Policy 7. "Campus Parking" is hereby updated to relax the enforcement on parking violations. 2) This resolution shall take effect immediately.

Moved by Holst, seconded by Sunderbruch that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) The 2015 property taxes due in September 2015 and March 2016 for Bruce Christensen, 3705 West Locust Street, Davenport, Iowa in the amount of \$102.00 including interest are hereby suspended. 2) The County Treasurer is hereby directed to suspend the collection of the above stated taxes thereby establishing a lien on said property as required by law with future collection to include statutory interest, if any. 3) This resolution shall take effect immediately.

Moved by Holst, seconded by Kinzer that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) The 2014 property taxes, interest, and penalties accrued for David Jepsen, 808 31st Street, Bettendorf, Iowa, Parcel: 842733508 in the amount of \$1,596.00 are hereby suspended. 2) The County Treasurer is hereby directed to suspend the collection of the above stated taxes and utility fees thereby establishing a lien on said property as required by law with future collection to include statutory interest, if any. 3) This resolution shall take effect immediately.

Moved by Holst, seconded by Sunderbruch that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) The second half of the 2014 property taxes due in March 2016 for Karen O'Shea, 3624 Pacific Street, Davenport, Iowa, in the amount of \$982.00 including penalties and interest are hereby suspended. 2) The County Treasurer is hereby directed to suspend the collection of the above stated taxes and utility fees thereby establishing a lien on said property as required by law with future collection to include statutory interest, if any. 3) This resolution shall take effect immediately.

Moved by Sunderbruch, seconded by Earnhardt that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) That Scott County Board approves the renewal of insurance with Travelers/Chubb in the amount of \$334,635 and Midwest Employers in the amount of \$57,408 for the budget year of 2017. 2) This resolution shall take effect immediately.

Moved by Sunderbruch, seconded by Kinzer that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) The assessment of election costs for the Davenport School District Special Election as detailed in the County Auditor's Office is hereby approved for the following amount: \$16,795.65. 2) This resolution shall take effect immediately.

Moved by Sunderbruch, seconded by Earnhardt that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) The assessment year 2015 Business Property Tax Credit Applications as recommended for allowance by the Davenport City Assessor (totaling 162 new applications) and the Scott County Assessor (totaling 142 new applications) and as filed in the respective Assessor's Offices are hereby allowed. 2) The assessment year 2015 Business Property Tax Credit Applications as recommended for disallowance by the Scott County Assessor (totaling 3 applications) and as filed in the Scott County Assessor's Office are hereby disallowed. 3) This resolution shall take effect immediately.

Moved by Sunderbruch, seconded by Earnhardt that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) The 2016 Slough Bill exemptions as presented to the board of Supervisors by the Scott County Assessor's office, and the Davenport City Assessor's office and as subsequently approved by the Davenport City, Bettendorf City and Princeton City Councils are hereby approved as follows: District; Deedholder; PARCEL #; Exemption; ACRES; EXEMPT VALUE, City/Davenport; Kuehl, Roger & Elaine; Y0423-15; Open Prairie; 2.75; \$3,790, City/Davenport; Ritter, Brian; 20519-03; Forest Cover; 3.80; \$36,470, City/Davenport; Perry, Shirley; Y3337-04A; Open Prairie; 5.00; \$6,970, City/Davenport; Genesis Systems Group; X3501-01; Open Prairie; 7.00; \$125,450, City/Davenport; Carrillo, John; S3123-03A; Open Prairie; 6.60; \$8,410, City/Davenport; Voss, Lillian; 31703-13; Forest Cover; 1.00; \$24,970, City/Davenport; Voss, Lillian; 31703-14; Forest Cover; 6.53, City/Davenport; Voss, Lillian; 31807-01; Forest Cover; 10.74, City/Davenport; Bierl, David; S3021-OLA; Open Prairie; 2.30; \$3,980, City/Davenport; Bierl, David; S3021-OLA; Forest Cover; 5.65, City/Bettendorf; Leonard, Marilyn; 943607101; Forest Cover/ Open Prairie; 4.55; \$69,000, City/Bettendorf; Leonard, Marilyn; 943607102; Open Prairie; 1.95; \$19,500, City/Princeton; Houlahan, Michelle; 951103003AD; Forest Cover; 6.8; \$4,150. 2) The City and County Assessor shall process these exemptions as required by law. 3) This resolution shall take effect immediately.

Moved by Sunderbruch, seconded by Kinzer that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) The purchase of an upgrade to the Treasurer's Office queueing system application, Orchestra One, from Qmatic Corporation in the amount of \$30,896.14 is hereby approved. 2) This resolution shall take effect immediately.

Moved by Sunderbruch, seconded by Holst that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) The purchase of Citrix maintenance and support for three hundred and forty (340) Citrix XenDesktop licenses and two (2) remote access appliances in the amount of \$38,072.22 is hereby approved. 2) This resolution shall take effect immediately.

Moved by Sunderbruch, seconded by Earnhardt that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) Iowa Code Section 445.63 states that when taxes are owing against a parcel owned or claimed by the state or a political subdivision of this state and the taxes are owing before the parcel was acquired by the state or a political subdivision of this state, the county treasurer shall give notice to the appropriate governing body which shall pay the amount of the taxes due. If the governing body fails to immediately pay the taxes due, the board of supervisors shall abate all of the taxes. 2) The City of Bettendorf has requested that the taxes due on the following parcel owned by the State of Iowa be abated: 842960108 in the amount of \$2432.00. 4) The County Treasurer is hereby directed to strike the amount of property taxes due on this City of Bettendorf parcel in accordance with Iowa Code Section 445.63. 5) This resolution shall take effect immediately.

Moved by Sunderbruch, seconded by Kinzer that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) Iowa Code Chapter 445.16 states that if the County Treasurer makes a recommendation to the Board of Supervisors to abate taxes the collection of which is determined to be impractical, the Board of Supervisors shall abate the tax interest and costs. 2) The County Treasurer is hereby directed to strike the balance of the following Parcel. Parcel; Deed Owner; Tax Year; Interest, 932533203-4L; Phillips Kenneth Leroy; 2011; \$58.00, 2012; \$60.00, 2013; \$62.00. 3) This resolution shall take effect immediately.

Moved by Sunderbruch, seconded by Earnhardt a motion to approve the filing of quarterly financial reports from various county offices. All Ayes.

Moved by Sunderbruch, seconded by Earnhardt that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) The appointment of Mary J. Thee, Assistant County Administrator as the Interim County Administrator effective May 30 through July 4, 2016. 2) A 5% increase of her salary is effective upon assumption of duties. 3) This resolution will take effect immediately.

Moved by Sunderbruch, seconded by Holst a motion approving a cigarette/tobacco permit renewal for Davenport Country Club, a liquor license renewal for No Place Special and a carryout native wine privilege for Express Lane Gas and Food Mart #79. All Ayes.

Moved by Sunderbruch, seconded by Earnhardt that the following resolution be approved. Roll Call: All Ayes.

BE IT RESOLVED: 1) The Scott County Board of Supervisors approves for payment all warrants numbered 276544 through 276821 as submitted and prepared for payment by the County Auditor, in the total amount of \$1,578,941.21. 2) This resolution shall take effect immediately.

Moved by Earnhardt, seconded by Kinzer a motion to adjourn. All Ayes.

Jim Hancock, Chair of the Board
Scott County Board of Supervisors

ATTEST: Roxanna Moritz
Scott County Auditor

Scott County Board of Supervisors
June 14, 2016 8:00 a.m.

The Board of Supervisors met pursuant to adjournment with Holst, Hancock, Earnhardt, Kinzer and Sunderbruch present.

This special meeting was called for the purpose of canvassing the votes cast at the June 7, 2016 Scott County Primary Election.

Moved by Hancock, seconded by Earnhardt a motion to certify the results of said election. All Ayes.

Moved by Hancock, seconded by Earnhardt at 8:06 a.m. a motion to adjourn the special meeting. All Ayes.

Jim Hancock, Chair of the Board
Scott County Board of Supervisors

ATTEST: Roxanna Moritz
Scott County Auditor

Scott County Board of Supervisors
June 14, 2016 8:06 a.m.

The Board of Supervisors met as a committee of the whole and pursuant to adjournment with Holst, Hancock, Earnhardt, Kinzer and Sunderbruch present.

Moved by Earnhardt, seconded by Kinzer at 8:31 a.m. a motion to adjourn. All Ayes.

Jim Hancock, Chair of the Board
Scott County Board of Supervisors

ATTEST: Roxanna Moritz
Scott County Auditor

Scott County Board of Supervisors
June 16, 2016 5:00 p.m.

The Board of Supervisors met pursuant to adjournment with Holst, Hancock, Earnhardt, Kinzer and Sunderbruch present. The Board recited the pledge of allegiance.

Moved by Sunderbruch, seconded by Earnhardt approval of the minutes of the June 2, 2016 Regular Board Meeting, the minutes of the June 14, 2016 Special Board Meeting (Canvass) and the minutes of the June 14, 2016 Committee of the Whole Meeting. All Ayes.

Moved by Earnhardt, seconded by Kinzer that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) Scott Wolf has submitted an application to the Iowa Department of Natural Resources (IDNR) for a construction permit for the expansion of an existing confined animal feeding operation located in part of the NW¼ SW¼, Section 6, T79N, R1E (Cleona Township) in unincorporated Scott County. 2) The Scott County Health Department and the Scott County Planning and Development Department have reviewed the construction permit application and the manure management plan and determined that both appear to be in compliance with the requirements of the Master Matrix, Iowa Code Section 459 and Iowa DNR rules. 3) The Scott County Board of Supervisors has determined that there are not any additional objects or locations not included in the application that are within the required separation distances, the soils and hydrology of the site appear to be suitable for the proposed expansion, and the applicant has adequate land for the application of manure originating from this confinement feeding operation available. 4) The Scott County Board of Supervisors published public notice of the receipt of said application, received no written nor electronic comments on the application and held a public hearing on June 2, 2016 during its regularly scheduled meeting to receive public comments on the application. Only the applicant spoke on behalf of his application. 5) The Scott County Board of Supervisors will submit to the Iowa DNR the written reports it received from the Scott County Planning and Development and Health Departments on which its determination is based, and the documentation of publication of the required public notices. The Board will also submit any written and/or electronic comments from the general public it receives on this application. 6) The Scott County Board of Supervisors would recommend that the construction permit application of Scott Wolf be approved based on its compliance with the requirements of the Master Matrix, Iowa DNR rules and Iowa Code regulations for such applications. 7) This resolution shall take effect immediately.

Moved by Earnhardt, seconded by Holst that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) That the three year service contract on the Courthouse X-ray equipment is hereby approved and awarded to Smith's Detection in the amount of \$12,371.00. 2) That the Director of Facility & Support Services is authorized to sign this contract. 3) This resolution shall take effect immediately.

Moved by Earnhardt, seconded by Kinzer that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) That the four year service contract on AED equipment is hereby approved and awarded to Physio Control in the amount of \$13,672.00. 2) That the Director of Facility & Support Services is authorized to sign this contract. 3) This resolution shall take effect immediately.

Moved by Earnhardt, seconded by Sunderbruch that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) That the three year service contract for rubbish removal is hereby approved and awarded to Republic Services in the amount of \$21,717.00. 2) That the Director of Facility & Support Services is authorized to sign this contract. 3) This resolution shall take effect immediately.

Moved by Earnhardt, seconded by Holst that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) That the three year service contract for boiler maintenance and inspections is hereby approved and awarded to Baker Group in the amount of \$19,830.00. 2) That the Director of Facility & Support Services is authorized to sign this contract. 3) This resolution shall take effect immediately.

Moved by Earnhardt, seconded by Sunderbruch that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) That the three year service contract for fire alarm systems maintenance and inspections is hereby approved and awarded to Summit Fire in the amount of \$19,053.00. 2) That the Director of Facility & Support Services is authorized to sign this contract. 3) This resolution shall take effect immediately.

Moved by Earnhardt, seconded by Kinzer that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) That the three year service contract for generator maintenance and inspections is hereby approved and awarded to 3E in the amount of \$19,710.00. 2) That the Director of Facility & Support Services is authorized to sign this contract. 3) This resolution shall take effect immediately.

Moved by Earnhardt, seconded by Holst that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) That the three year service contract for Juvenile Detention Center security electronics maintenance and inspections is hereby approved and awarded to Stanley Convergent Security Solutions in the amount of \$20,160.00. 2) That the Director

of Facility & Support Services is authorized to sign this contract. 3) This resolution shall take effect immediately.

Moved by Kinzer, seconded by Holst that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) The hiring of Brittney Shanahan for the position of Correction Officer in the Sheriff's Office at the entry level rate. 2) The hiring of Paul Pridemore for the position of Correction Officer in the Sheriff's Office at the entry level rate.

Moved by Kinzer, seconded by Sunderbruch that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) That the proposal from Holmes Murphy and Associates in the amount of \$18,000 per year for one year for consulting services related to working with an employee committee to review health insurance and wellness, and implementation of the Affordable Care Act. 2) That the Human Resources Director is hereby authorized to sign said agreement on behalf of the Board. 3) This resolution shall take effect immediately.

Moved by Holst, seconded by Kinzer that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) That the FY2017 Contractual Agreement between the Center for Alcohol & Drug Services, Inc. (CADS) and Scott County is hereby approved for three different service areas as follows: Detoxification, Evaluation and Treatment - \$295,432; Inmate Substance Abuse Treatment and Criminal Justice Client Case Management - \$198,000; Jail Based Assessment and Treatment - \$154,899. 2) That the chairman is hereby authorized to sign said agreement. 3) This resolution shall take effect immediately.

Moved by Sunderbruch, seconded by Kinzer that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) That the annual software license agreement with NEOGOV system in the amount of \$10,625.00 for a web-based employee performance appraisal system is hereby accepted and approved. 2) That the Director of Information Technology is hereby authorized to sign said agreement on behalf of the Board. 3) This resolution shall take effect immediately.

Moved by Sunderbruch, seconded by Earnhardt that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) Appropriations and authorized positions for the FY17 budget adopted March 10, 2016 are hereby approved in the amount of \$80,568,437 and 479.98 FTE's as presented by the Interim County Administrator. 2) The Interim County Administrator is hereby directed to establish appropriations totaling \$80,568,437 as found in the summary schedules in the Office of the County Auditor and the Office of the County Administrator. 3) This resolution shall take effect immediately.

Moved by Sunderbruch, seconded by Holst that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) FY16 year-end fund transfers as presented by the Interim County Administrator are hereby approved. 2) This resolution shall take effect immediately.

Moved by Sunderbruch, seconded by Kinzer a motion approving cigarette/tobacco permit renewals for Perfect Value Liquor Mart, Slabys Bar & Grill and Express Lane Gas & Food Mart and a liquor license renewal for Perfect Value Liquor Mart. All Ayes.

Moved by Sunderbruch, seconded by Holst that the following resolution be approved. Roll Call: All Ayes.

BE IT RESOLVED: 1) The Scott County Board of Supervisors approves for payment all warrants numbered 276833 through 277119 as submitted and prepared for payment by the County Auditor, in the total amount of \$1,091,711.37. 2) The Board of Supervisors approves for payment to Wells Fargo Bank all purchase card program transactions as submitted to the County Auditor for review in the amount of \$86,408.01. 3) This resolution shall take effect immediately.

Moved by Earnhardt, seconded by Kinzer a motion to adjourn. All Ayes.

Jim Hancock, Chair of the Board
Scott County Board of Supervisors

ATTEST: Roxanna Moritz
Scott County Auditor

Scott County Board of Supervisors
June 28, 2016 8:00 a.m.

The Board of Supervisors met as a committee of the whole and pursuant to adjournment with Hancock, Earnhardt, Kinzer, Sunderbruch and Holst present.

Moved by Earnhardt, seconded by Kinzer at 9:50 a.m. a motion to adjourn. All Ayes.

Jim Hancock, Chair of the Board
Scott County Board of Supervisors

ATTEST: Roxanna Moritz
Scott County Auditor

The Board of Supervisors met pursuant to adjournment with Hancock, Earnhardt, Kinzer, Sunderbruch and Holst present. The Board recited the pledge of allegiance.

Moved by Sunderbruch, seconded by Earnhardt approval of the minutes of the June 16, 2016 Regular Board Meeting and the minutes of the June 28, 2016 Committee of the Whole Meeting. All Ayes.

Moved by Earnhardt, seconded by Kinzer that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) That said Board of Supervisors does hereby recognize the retirement of Kris Keuning and conveys its appreciation for 10 years of faithful service to the Sheriff's Office. 2) This resolution shall take effect immediately.

Moved by Earnhardt, seconded by Kinzer that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) That said Board of Supervisors does hereby recognize the retirement of Dawn Griswold and conveys its appreciation for 26 years of faithful service to the Treasurer's Office. 2) This resolution shall take effect immediately.

Moved by Earnhardt, seconded by Sunderbruch that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) That the bid for ice and snow control salt be accepted from the IDOT letting to Cargill Inc Deicing Tech Business Unit. for \$68.85/TON – 1200 Tons to equal \$82,620.00. 2) That this resolution shall take effect immediately.

Moved by Earnhardt, seconded by Holst that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) That the quotes for road rock and ice control sand be accepted from the following: RiverStone Group, Inc: ITEM #1 Rock-\$7.65, ITEM #2 Sand-\$8.35, ITEM #2a Sand Delivered-\$12.85 Semi, ITEM #2a Sand Delivered-\$13.70 Tandem, ITEM #3 Macadam- \$8.00, ITEM #4 Class "A" Rock-\$8.10, Linwood Mining: ITEM #1 Rock-\$9.50, ITEM #2 Sand-\$9.50, ITEM #2a Sand Delivered-No Quote, ITEM #3 Macadam-\$11.00, ITEM #4 Class "A" Rock-\$9.75, Wendling Quarries: ITEM #1 Rock-\$8.75, ITEM #2 Sand-\$8.75, ITEM #2a Sand Delivered-No Quote, ITEM #3 Macadam-\$7.70, ITEM #4 Class "A" Rock-\$8.75. 2) That the amounts purchased will be based on the lowest hauled in-place cost based on county needs. 3) That this resolution shall take effect immediately.

Moved by Earnhardt, seconded by Kinzer that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) That the purchase of two aluminum box culverts from Illowa Culvert & Supply, Low Moor, Iowa for the total cost of \$95,498.65 be approved. 2) That this resolution shall take effect immediately.

Moved by Earnhardt, seconded by Kinzer that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) That the Board of Supervisors enters into a contract with Clapsaddle-Garber Associates, Inc. to perform land restoration inspection services on the Alliant Energy IPL-CLI-RM Pipeline Construction Project. 2) That the Chairperson be authorized to sign the contract document on behalf of the Board. 3) That this resolution shall take effect immediately.

Moved by Earnhardt, seconded by Holst that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) As the local governing body responsible for the approval of subdivision plats within its rural jurisdiction, the Scott County Board of Supervisors has on this 30th day of June, 2016 considered the Final Plat of Goodman's Second Addition. Said plat is a four (4) lot subdivision, being a replat of Tracts 11-A, 11-C, and 11-B-1 in Goodman's First Addition in part of the NE ¼ of Section 21, LeClaire Township, Scott County, Iowa. The Scott County Board of Supervisors, having found the same made in substantial accordance with the provisions of Chapter 354, Code of Iowa, and the Scott County Subdivision Ordinance, does hereby approve the Final Plat of said subdivision. 2) The Board Chairman is authorized to sign the Certificate of Approval on behalf of the Board of Supervisors and the County Auditor to attest to his signature. 3) This resolution shall take effect immediately.

Moved by Earnhardt, seconded by Kinzer that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) That the bids for the Jail carpet replacement are hereby approved and awarded to Hollingsworth Floor Coverings in the amount of \$42,534.00. 2) This resolution shall take effect immediately.

Moved by Holst, seconded by Sunderbruch that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) That the FY2017 contractual agreement between Scott County and the Center for Active Seniors, Inc. for the provision of programs for older persons in Scott County is hereby approved. 2) That the Chairman is authorized to sign said agreement. 3) This resolution shall take effect July 1, 2016.

Moved by Holst, seconded by Earnhardt that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) That the FY17 contractual agreement between Scott County and Community Health Care for provision of comprehensive, ambulatory health care programs with emphasis on low and fixed income populations for Scott County is hereby approved. 2) That the Chairman is hereby authorized to sign said agreement. 3) This resolution shall take effect July 1, 2016.

Moved by Sunderbruch, seconded by Earnhardt that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) The annual salary of the Deputy Auditor – Tax in the Auditor’s office is \$66,360 (79%) of the Auditor’s salary. 2) It is understood that this position is considered a salaried employee and is not paid by the hour. 3) This resolution amends section 2 of the March 10, 2016 resolution approving the salary of the Deputy Auditor – Tax at \$63,000 (75%). 4) This resolution shall take effect July 1, 2016.

Moved by Sunderbruch, seconded by Kinzer that the following resolution be approved. Supervisor Holst spoke in opposition of the resolution. Four Ayes, with Holst voting Nay.

BE IT RESOLVED: 1) That the Board hereby approves application for a grant from the Department of Justice (JAG) Program in the Attorney’s Office to support the Quad City Metropolitan Enforcement Group (QCMEG). 2) That, if accepted, the Board approves receipt of such funding. 3) That the Chair is approved to sign such application. 4) This resolution shall take effect immediately.

Moved by Sunderbruch, seconded by Earnhardt that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) That the Board hereby approves the GTL contract amendment for the inmate telephone system. 2) That the Board approves this purchase. 3) That the Sheriff is approved to sign this contract amendment. 4) This resolution shall take effect immediately.

Moved by Sunderbruch, seconded by Holst that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) The purchase of Cisco SMARTnet hardware and software maintenance for telephone and network equipment in the amount of \$104,426.03 per year for three (3) years from AOS is hereby approved. 2) This resolution shall take effect immediately.

Moved by Sunderbruch, seconded by Earnhardt that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) The purchase of Microsoft Software License Maintenance from Insight in the amount of \$397,239.54 to be paid in three yearly installments of \$132,413.18 is hereby approved. 2) This resolution shall take effect immediately.

Moved by Sunderbruch, seconded by Kinzer that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) The authority of the IT Director to sign a service agreement with InfoTech Research Group in the amount \$10,335.00 is hereby approved. 2) This resolution shall take effect immediately.

Moved by Sunderbruch, seconded by Kinzer that the following resolution be approved. Roll Call: All Ayes.

BE IT RESOLVED: 1) The Scott County Board of Supervisors approves for payment all warrants numbered 277138 through 277402 as submitted and prepared for payment by the County Auditor, in the total amount of \$1,647,985.62. 2) This resolution shall take effect immediately.

Moved by Earnhardt, seconded by Kinzer a motion to adjourn. All Ayes.

Jim Hancock, Chair of the Board
Scott County Board of Supervisors

ATTEST: Roxanna Moritz
Scott County Auditor

Scott County Board of Supervisors
July 12, 2016 8:00 a.m.

The Board of Supervisors met as a committee of the whole and pursuant to adjournment with Earnhardt, Kinzer, Sunderbruch and Holst present. Chairman Hancock was absent. Vice-Chair Earnhardt served as chair.

Moved by Kinzer, seconded by Holst at 8:45 a.m. a motion to adjourn. All Ayes.

Carol Earnhardt, Vice-Chair of the Board
Scott County Board of Supervisors

ATTEST: Roxanna Moritz
Scott County Auditor

The Board of Supervisors met pursuant to adjournment with Earnhardt, Kinzer, Sunderbruch and Holst present. Chairman Hancock was absent. Vice-Chair Earnhardt served as chair. The Board recited the pledge of allegiance.

Moved by Holst, seconded by Kinzer approval of the minutes of the June 30, 2016 Regular Board Meeting and the minutes of the July 12, 2016 Committee of the Whole Meeting. All Ayes.

Moved by Kinzer, seconded by Holst that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) That the bid for a 2016 single axle cab and chassis be awarded to the low bidder, Thompson Truck & Trailer, Inc., Davenport, Iowa in the amount of \$68,840.00 with trade and that the bid for a dump body and snow equipment be awarded to Henderson Truck Equipment, Manchester, Iowa in the amount of \$79,783.00. 2) That the County Engineer be authorized to sign the purchase orders on behalf of the Board. 3) That this resolution shall take effect immediately.

Moved by Kinzer, seconded by Sunderbruch that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) That the bid for a 2016 tandem axle cab and chassis be awarded to the low bidder, Thompson Truck & Trailer, Inc., Davenport, Iowa in the amount of \$84,765.00 with trade and that the bid for a dump body and snow equipment be awarded to Henderson Truck Equipment, Manchester, Iowa in the amount of \$91,986.00. 2) That the County Engineer be authorized to sign the purchase orders on behalf of the Board. 3) That this resolution shall take effect immediately.

Moved by Kinzer, seconded by Sunderbruch that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) That the bid for a 2016 motor grader be awarded to the following bidder: Altorfer Cat, Davenport, Iowa in the amount of \$239,199.00. 2) That the County Engineer be authorized to sign the purchase orders on behalf of the Board. 3) That this resolution shall take effect immediately.

Moved by Kinzer, seconded by Holst that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) That the purchase of a Challenger 15K 4-Post Open Front Vehicle Lift be approved to Premier Parts Inc., DeWitt, Iowa in the amount of \$11,438.48 with \$1,200.00 Installation. 2) That the County Engineer be authorized to Sign the purchase orders on behalf of the Board. 3) That this resolution shall take effect

immediately.

Moved by Kinzer, seconded by Sunderbruch that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) That the bid for Centerline Painting be awarded to the low bidder, Vogel Traffic Services, Orange City, Iowa in the amount of \$92,057.76. 2) That the Chairman be authorized to sign the contract documents on behalf of the Board. 3) That this resolution shall take effect immediately.

Moved by Kinzer, seconded by Sunderbruch that the following resolution be approved. Three Ayes. Supervisor Kinzer abstained.

BE IT RESOLVED: 1) That the low bid for the HMA Resurfacing Project L-617 on Jamestown Road (100th Av) 2.373 miles be awarded to the low bidder, Brandt Construction Co., Milan, Illinois, for the total cost of \$383,939.66. 2) That the Chairman be authorized to sign the contract documents on behalf of the Board. 3) That this resolution shall take effect immediately.

Moved by Kinzer, seconded by Holst that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) That the three year service contract for window washing is hereby approved and awarded to QC Window Cleaning in the amount of \$34,440.00. 2) That the Director of Facility & Support Services is authorized to sign this contract. 3) This resolution shall take effect immediately.

Moved by Kinzer, seconded by Holst that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) Change Order #1 in the amount of \$45,176.07 is hereby approved. 2) That the Director of Facility & Support Services is authorized to sign Sheriff Patrol Headquarters Change Order #1. 3) This resolution shall take effect immediately.

Moved by Kinzer, seconded by Sunderbruch that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) That the purchase of Tracer ES from Trane Company in the amount of \$55,250.00 is hereby approved. 2) That the Director of Facility & Support Services is authorized to sign this contract. 3) This resolution shall take effect immediately.

Moved by Holst, seconded by Kinzer that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) The Agreement between Scott County and Genesis Psychology Associates relating to payment for behavioral health services for the period July 1, 2016

through June 30, 2017, and identifying an hourly rate of \$200 for services provided, is approved. 2) The Chairman is authorized to sign the Agreement. 3) This resolution shall take effect July 1, 2016.

Moved by Sunderbruch, seconded by Holst that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) That the Scott County Board of Supervisors approves acceptance of the payout from Traveler's Casualty and Surety Company of America in the amount of \$160,334.44 under the Employee Theft Insuring Agreement. 2) This resolution shall take effect immediately.

Moved by Sunderbruch, seconded by Kinzer that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) That the RACOM service support contract with the Sheriff's Office is hereby approved as presented (in the amount of \$17,319.80). 2) That Sheriff Conard is hereby authorized to sign said contract. 3) This resolution shall take effect immediately.

Moved by Sunderbruch, seconded by Kinzer that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) That the Parenting Inside Out contract with Scott County Kids and the Sheriff's Office is hereby approved as presented (in the amount of \$74,364.00). 2) That the chairman is hereby authorized to sign said contract. 3) This resolution shall take effect immediately.

Moved by Sunderbruch, seconded by Holst that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) That the Violence Against Women grant contract with the Crime Victim Assistance Division of the Iowa Department of Justice and the Sheriff's Office is hereby approved as presented (in the amount of \$59,848.00). 2) That the chairman is hereby authorized to sign said contract. 3) This resolution shall take effect immediately.

Moved by Sunderbruch, seconded by Kinzer that the following resolution be approved. Roll Call: All Ayes.

BE IT RESOLVED: 1) The Scott County Board of Supervisors approves for payment all warrants numbered 277415 through 277691 as submitted and prepared for payment by the County Auditor, in the total amount of \$1,131,137.11. 2) The Board of Supervisors approves for payment to Wells Fargo Bank all purchase card program transactions as submitted to the County Auditor for review in the amount of \$128,102.46. 3) This resolution shall take effect immediately.

Frank Rosenboom, 28267 221St LeClaire, spoke to the Board regarding a building permit for a garage on his property. He planned to pour concrete and was told

he could not proceed. He told the Board that he disagreed with the County inspector's measurements of the project location.

Tim Huey, Planning and Development Director, told the Board the project was not measured correctly according to the site plan by the owner and was not far enough away (25 feet) from the easement and therefore did not pass inspection. He told the Board he would go out to the property and check the measurements again.

Moved by Kinzer, seconded by Holst a motion to adjourn. All Ayes.

Carol Earnhardt, Vice-Chair of the Board
Scott County Board of Supervisors

ATTEST: Roxanna Moritz
Scott County Auditor

Scott County Board of Supervisors
July 26, 2016 8:00 a.m.

The Board of Supervisors met as a committee of the whole and pursuant to adjournment with Kinzer, Sunderbruch, Holst, Hancock and Earnhardt present.

Moved by Earnhardt, seconded by Kinzer at 9:23 a.m. a motion to adjourn. All Ayes.

Jim Hancock, Chair of the Board
Scott County Board of Supervisors

ATTEST: Roxanna Moritz
Scott County Auditor

Scott County Board of Supervisors
July 28, 2016 5:00 p.m.

The Board of Supervisors met pursuant to adjournment with Kinzer, Holst, Hancock and Earnhardt present. Supervisor Sunderbruch was absent. The Board recited the pledge of allegiance.

Moved by Earnhardt, seconded by Holst approval of the minutes of the July 14, 2016 Regular Board Meeting and the minutes of the July 26, 2016 Committee of the Whole Meeting. All Ayes.

Moved by Earnhardt, seconded by Kinzer a motion to open a public hearing relative to the proposed Zoning Ordinance Text Amendment. All Ayes.

Mike Wright, 4 Terrace Park Court, Park View, president of the Park View Owners Association, spoke in opposition of the proposed change and told the Board he didn't see value in the change.

Erin McChesney, 130 Hillside Drive, Park View, vice president of the Park View Owners Association, spoke in opposition and read comments from other residents against the amendment.

Tim Huey, Planning and Development Director, told the Board this was not a rezoning request, only a special use permit and that the lots would remain commercial.

Kurt Proctor, 306 Cherokee Drive, Park View, told the Board he opposed the proposal and said he didn't want the use of the property changed in the future.

Pat and Laura Dierickx, 14600 305th Street, Long Grove, owners of the property, told the Board their only plans for the property are a single family home for their daughter and possibly, in the future, an in-home daycare. Pat told the Board they were surprised by the opposition in attendance because they had not heard from any Association members during this amendment process. Laura also pointed out to the Board they are maintaining the property and have no plans for the other two lots.

Moved by Earnhardt, seconded by Kinzer a motion to close the public hearing. All Ayes.

Moved by Earnhardt, seconded by Kinzer that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) That the Approval of the Memorandum of Understanding of the Purchase and Sharing of a Pile Driver Attachment between Scott County and Clinton County be approved. 2) That the Chairman be authorized to sign the Memorandum of Understanding on behalf of the Board. 3) That this resolution shall take effect immediately.

Moved by Earnhardt, seconded by Holst that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) That the request from the City of Dixon to close a section of Y4E through Dixon for a Car Show on September 24, 2016 from 6:30am – 5:00pm be approved. 2) That this resolution shall take effect immediately.

Moved by Earnhardt, seconded by Kinzer that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) That the purchase of security cameras and installation for the Secondary Road Facility from Communication Innovators, Pleasant Hill, Iowa in the amount of \$11,878.12 be approved. 2) That the County Engineer be authorized to Sign the purchase orders on behalf of the Board. 3) That this resolution shall take effect immediately.

Moved by Earnhardt, seconded by Holst that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) Scott County previously established the user fees charged for the various zoning applications provided for in the Scott County Zoning Ordinance. 2) The adoption of the Revised Zoning Ordinance states that all applications shall pay a fee based on the fee schedule approved by the Board of Supervisors. 3) The Scott County Board of Supervisors hereby approves the following fee schedule for such applications: REZONING AND TEXT AMENDMENTS: For the Planning and Zoning Commission public hearing - \$100 for the first five acres and \$2 for each whole acre over five acres. For the Board of Supervisors public hearing - \$100 for the first five acres and \$2 for each whole acre over five acres. The maximum fee for each stage is \$200. SITE PLAN REVIEW: Plan less than five (5) acres - \$100. Plan between five (5) and ten (10) acres - \$150. Plan ten (10) acres or more - \$200. VARIANCE, SPECIAL USE PERMIT & APPEAL OF INTERPRETATION: Variance - \$100. Special Use Permit - \$100. Appeal of Interpretation - \$50. HOME OCCUPATION/HOME INDUSTRIES: Home Occupation - \$25. Home Industry - \$50. FLOODPLAIN DEVELOPMENT PERMITS: Floodplain Development - \$30. 4) This resolution shall take effect immediately.

Moved by Earnhardt, seconded by Kinzer that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) The Bi-State Revolving Loan Fund Program provides loans to encourage the expansion and development of viable business and industrial activity in Scott and Rock Island Counties. 2) The program requires that a participating local government submit an application on behalf of the local company requesting the loan. 3) The Schebler Company is proposing an expansion of their plant equipment that will allow the retention and expansion of job opportunities at their plant in Riverdale. 4) The Board of Supervisors supports the efforts of Schebler Company to improve and expand

their operation in Scott County. 5) The Board of Supervisors authorizes Scott County to submit an application on behalf of Schebler Company to the Bi-State Revolving Loan Board. 6) The Chairman is hereby authorized to sign the application documents. 7) This resolution shall take effect immediately.

Moved by Earnhardt, seconded by Kinzer that the following resolution be approved. All Ayes except Holst voted Nay for \$7,797.56 of the change order (cost of additional changes).

BE IT RESOLVED: 1) Change Order #4 in the amount of \$34,840.03 is hereby approved. 2) That the Director of Facility & Support Services is authorized to sign Courthouse Phase 3 & 4 Change Order #4. 3) This resolution shall take effect immediately.

Moved by Kinzer, seconded by Earnhardt that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) That said Board of Supervisors does hereby recognize the retirement of Rebecca Luensmann and conveys its appreciation for 20 years of faithful service to the Secondary Roads Department. 2) This resolution shall take effect immediately.

Moved by Kinzer, seconded by Earnhardt that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) The hiring of Angela Calvert for the position of Payroll Specialist in the Auditor's Office at the entry level rate.

Moved by Holst, seconded by Earnhardt that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) The authority of the IT Director to sign a subscription agreement for web site hosting with Acquia in the amount of \$29,472.00 for two years of service to be paid in equal installments of \$14,736.00 over the next two years is hereby approved. 2) This resolution shall take effect immediately.

Moved by Holst, seconded by Kinzer that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) The purchase of CommVault backup software maintenance and support from CDWG in the amount of \$18,451.65 is hereby approved. 2) This resolution shall take effect immediately.

Moved by Holst, seconded by Kinzer that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) The purchase of three (3) Fujitsu scanners from HMB Inc. in the amount of \$42,200.10 is hereby approved. 2) This resolution shall take effect immediately.

Moved by Holst, seconded by Earnhardt that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) The purchase of Cisco network equipment from Alexander Open Systems in the amount of \$48,473.67 is hereby approved. 2) This resolution shall take effect immediately.

Moved by Holst, seconded by Earnhardt that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) All 2016 Homestead Property Tax Credit and Military Property Tax Exemption Applications as recommended for allowance by the Davenport City Assessor and Scott County Assessor and as filed in the respective County Assessor's Offices are hereby approved. 2) This resolution shall take effect immediately.

Moved by Holst, seconded by Kinzer a motion approving a new beer/liquor license for Wapsi Willys. All Ayes.

Moved by Holst, seconded by Earnhardt that the following resolution be approved. Roll Call: All Ayes.

BE IT RESOLVED: 1) The Scott County Board of Supervisors approves for payment all warrants numbered 277707 through 277995 as submitted and prepared for payment by the County Auditor, in the total amount of \$1,616,450.34. 2) This resolution shall take effect immediately.

Moved by Earnhardt, seconded by Kinzer a motion to adjourn. All Ayes.

Jim Hancock, Chair of the Board
Scott County Board of Supervisors

ATTEST: Roxanna Moritz
Scott County Auditor

Scott County Board of Supervisors
August 9, 2016 8:00 a.m.

The Board of Supervisors met pursuant to adjournment with Sunderbruch, Holst, Hancock, Earnhardt and Kinzer present.

This special meeting was called for the purpose of canvassing the votes cast at the August 2, 2016 Blue Grass City Water Assets Special Election.

Moved by Hancock, seconded by Holst a motion to certify the result of said election. All Ayes.

Moved by Earnhardt, seconded by Sunderbruch at 8:03 a.m. a motion to adjourn the special meeting. All Ayes.

Jim Hancock, Chair of the Board
Scott County Board of Supervisors

ATTEST: Roxanna Moritz
Scott County Auditor

Scott County Board of Supervisors
August 9, 2016 8:04 a.m.

The Board of Supervisors met as a committee of the whole and pursuant to adjournment with Sunderbruch, Holst, Hancock, Earnhardt and Kinzer present.

Moved by Earnhardt, seconded by Holst at 8:20 a.m. a motion to adjourn. All Ayes.

Jim Hancock, Chair of the Board
Scott County Board of Supervisors

ATTEST: Roxanna Moritz
Scott County Auditor

Scott County Board of Supervisors
August 11, 2016 5:00 p.m.

The Board of Supervisors met pursuant to adjournment with Sunderbruch, Holst, Hancock and Earnhardt present. Supervisor Kinzer was absent. The Board recited the pledge of allegiance.

Moved by Sunderbruch, seconded by Earnhardt approval of the minutes of the July 28, 2016 Regular Board Meeting, the minutes of the August 9, 2016 Special Board Meeting (Canvass) and the minutes of the August 9, 2016 Committee of the Whole Meeting. All Ayes.

Members of the Scott County Library Board of Trustees discussed an expansion project for the Walcott Branch library to the Board of Supervisors.

Tricia Kane, library director, updated the Board of Supervisors on the upgrade planned for the Walcott facility and told the Board of Supervisors the current facility is too small for the increased usage by the community. She stated that the library is asking for a gift from Scott County.

Cal Werner, member of the Board of Directors and the President of the Walcott Trust & Savings Bank, told the Board of Supervisors about the many projects in Scott County that the bank has supported including trails and school labs. He also told the Board that the bank was giving \$50,000 to the library project.

Crystal Koberg-Schaefer, member of the library board and resident of Walcott, spoke to the Board of Supervisors about the better marketing efforts of the library, the issue of the decreasing number of Walcott school students and the need for more opportunities for the Walcott community involving younger families. She asked the Board of Supervisors for support of the project.

Susan Daley, CEO of the Walcott Trust & Savings Bank, talked to the Board of Supervisors about the need for a bigger community room at the library.

Moved by Earnhardt, seconded by Holst the first of two readings of a Zoning Ordinance Text Amendment to Section 6-15.D of the Scott County Zoning Ordinance to add "Single-Family Dwellings" as a Special Permitted Use in the Community Area Development Park View Commercial "CAD-PVC" District. Roll Call: All Ayes.

AN ORDINANCE TO AMEND A PORTION OF SECTION 6-15.D. "COMMUNITY AREA DEVELOPMENT PARK VIEW COMMERCIAL DISTRICT "CAD-PVC" SPECIAL PERMITTED USES OF THE ZONING ORDINANCE FOR UNINCORPORATED SCOTT COUNTY

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

Section 1. Amend Section 6-15 "COMMUNITY AREA DEVELOPMENT PARK VIEW COMMERCIAL DISTRICT "CAD-PVC"

D. Special Permitted Uses by adding "(1) Single-family dwellings."

Section 2. The County Auditor is directed to record this ordinance in the County Recorder's office.

Section 3. Severability Clause. If any of the provisions of this Ordinance are for any reason illegal or void then the lawful provisions of this 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 4. Repealer. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 5. Effective Date. This Ordinance shall be in full force and effect after its final passage and publication as by law provided.

Moved by Earnhardt, seconded by Holst that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) That the bids for one Class 5 sedan to be used by Community Services are approved and hereby awarded to McGrath Auto, Cedar Rapids, Iowa in the amount of \$18,122.00. 2) This resolution shall take effect immediately.

Moved by Earnhardt, seconded by Sunderbruch that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) That the bids for one Class 4 SUV to be used as an unmarked investigation vehicle for the Sheriff's Office are approved and hereby awarded to Lindquist, Bettendorf, Iowa in the amount of \$24,551.00. 2) That the bids for one Class 3A Pursuit Sedan to be used as an unmarked investigation vehicle for the Sheriff's Office are approved and hereby awarded to Stew Hansen, Des Moines, Iowa in the amount of \$30,988.00. 3) This resolution shall take effect immediately.

Moved by Sunderbruch, seconded by Earnhardt a motion approving beer/liquor license renewals for Valley Inn and Mickey's Country Cafe. All Ayes.

Moved by Sunderbruch, seconded by Earnhardt that the following resolution be approved. Roll Call: All Ayes.

BE IT RESOLVED: 1) The Scott County Board of Supervisors approves for payment all warrants numbered 278005 through 278278 as submitted and prepared for payment by the County Auditor, in the total amount of \$1,817,203.23. 2) The Board of

Supervisors approves for payment to Wells Fargo Bank all purchase card program transactions as submitted to the County Auditor for review in the amount of \$77,224.42.
3) This resolution shall take effect immediately.

Moved by Earnhardt, seconded by Holst a motion to adjourn. All Ayes.

Jim Hancock, Chair of the Board
Scott County Board of Supervisors

ATTEST: Roxanna Moritz
Scott County Auditor

Scott County Board of Supervisors
August 23, 2016 8:00 a.m.

The Board of Supervisors met as a committee of the whole and pursuant to adjournment with Holst, Hancock, Earnhardt, Kinzer and Sunderbruch present.

Moved by Earnhardt, seconded by Kinzer at 8:37 a.m. a motion to adjourn. All Ayes.

Jim Hancock, Chair of the Board
Scott County Board of Supervisors

ATTEST: Roxanna Moritz
Scott County Auditor

The Board of Supervisors met pursuant to adjournment with Holst, Hancock, Kinzer and Sunderbruch present. Vice-Chair Earnhardt was absent. The Board recited the pledge of allegiance.

Chairman Hancock welcomed Boy Scout Troop #46 from LeClaire to the meeting. He also discussed procedures and roles of the Board of Supervisors with the troop.

Moved by Sunderbruch, seconded by Holst approval of the minutes of the August 11, 2016 Regular Board Meeting and the minutes of the August 23, 2016 Committee of the Whole Meeting. All Ayes.

Moved by Holst, seconded by Sunderbruch that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) That the plans, specifications, and letting date be approved for Bridge Replacement Project L-318 on 230th Street over Hickory Creek. The letting will be set for September 2, 2016 at 2:00 P.M. 2) That the Chairman be authorized to sign the contract documents on behalf of the Board. 3) That this resolution shall take effect immediately.

Moved by Holst, seconded by Kinzer that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) That the purchase of radio control station and new controllers includes installation, programming, wiring and setup for the Secondary Road Facility from Racom Critical Communications, Davenport, Iowa in the amount of \$15,810.00 be approved. 2) That the County Engineer be authorized to sign the purchase orders on behalf of the Board. 3) That this resolution shall take effect immediately.

Moved by Holst, seconded by Kinzer the second and final reading of a Zoning Ordinance Text Amendment to Section 6-15.D of the Scott County Zoning Ordinance to add "Single-Family Dwellings" as a Special Permitted Use in the Community Area Development Park View Commercial "CAD-PVC" District. Roll Call: All Ayes.

AN ORDINANCE TO AMEND A PORTION OF SECTION 6-15.D. "COMMUNITY AREA DEVELOPMENT PARK VIEW COMMERCIAL DISTRICT "CAD-PVC" SPECIAL PERMITTED USES OF THE ZONING ORDINANCE FOR UNINCORPORATED SCOTT COUNTY

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

Section 1. Amend Section 6-15 "COMMUNITY AREA DEVELOPMENT PARK VIEW COMMERCIAL DISTRICT "CAD-PVC"

D. Special Permitted Uses by adding "(1) Single-family dwellings."

Section 2. The County Auditor is directed to record this ordinance in the County Recorder's office.

Section 3. Severability Clause. If any of the provisions of this Ordinance are for any reason illegal or void then the lawful provisions of this 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 4. Repealer. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 5. Effective Date. This Ordinance shall be in full force and effect after its final passage and publication as by law provided.

Moved by Holst, seconded by Sunderbruch that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) That the contract for architectural and engineering design services for the Pedestrian Safe ADA Walkway Project is hereby awarded to Bracke.Hayes.Miller.Mahon, Architects in the amount of \$37,565.00. 2) That the Director of Facility & Support Services is authorized to sign the contract document on behalf of the Scott County Board of Supervisors. 3) This resolution shall take effect immediately.

Moved by Holst, seconded by Kinzer that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) Change Order #5 in the amount of \$91,425.19 is hereby approved. 2) That the Director of Facility & Support Services is authorized to sign Courthouse Phase 3 & 4 Change Order #5. 3) This resolution shall take effect immediately.

Moved by Kinzer, seconded by Holst that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) That said Board of Supervisors does hereby recognize the retirement of LaDonna Fountain and conveys its appreciation for 26 years of faithful service to Scott County. 2) This resolution shall take effect immediately.

Moved by Sunderbruch, seconded by Holst that the following resolution be approved. Roll Call: All Ayes.

BE IT RESOLVED: 1) The Scott County Board of Supervisors approves for payment all warrants numbered 278288 through 278580 as submitted and prepared for payment by the County Auditor, in the total amount of \$1,447,448.86. 2) This resolution shall take effect immediately.

Moved by Kinzer, seconded by Holst a motion to adjourn. All Ayes.

Jim Hancock, Chair of the Board
Scott County Board of Supervisors

ATTEST: Roxanna Moritz
Scott County Auditor

Scott County Board of Supervisors
September 6, 2016 8:00 a.m.

The Board of Supervisors met as a committee of the whole and pursuant to adjournment with Hancock, Earnhardt, Kinzer, Sunderbruch and Holst present.

Moved by Earnhardt, seconded by Kinzer at 9:20 a.m. a motion to adjourn. All Ayes.

Jim Hancock, Chair of the Board
Scott County Board of Supervisors

ATTEST: Roxanna Moritz
Scott County Auditor

The Board of Supervisors met pursuant to adjournment with Hancock, Earnhardt, Kinzer, Sunderbruch and Holst present. The Board recited the pledge of allegiance.

Moved by Sunderbruch, seconded by Earnhardt approval of the minutes of the August 25, 2016 Regular Board Meeting and the minutes of the September 6, 2016 Committee of the Whole Meeting. All Ayes.

Moved by Earnhardt, seconded by Kinzer that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) That the agreement between Scott County and the Iowa Department of Transportation for the Bridge Replacement Project BROS-C082(57)--8J-82 be approved. 2) That the Chairman be authorized to sign the contract documents on behalf of the Board. 3) That this resolution shall take effect immediately.

Moved by Earnhardt, seconded by Holst that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) That the purchase of Allsteel furniture for the Courthouse Lower Level GIS/WEB Renovation Project in the amount of \$19,390.22 is hereby approved. 2) This resolution shall take effect immediately.

Moved by Kinzer, seconded by Sunderbruch that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) The hiring of Tiffanie Jones for the position of Correction Officer in the Sheriff's Office at the entry level rate.

Moved by Holst, seconded by Earnhardt that the following resolution authorizing the execution of a Memorandum of Agreement with Christian Retirement Homes, Inc. d/b/a Ridgecrest Village and fixing a date for a hearing on the proposed issuance of revenue bonds or notes (Ridgecrest Village Project) be approved. Roll Call: Four Ayes with Sunderbruch abstaining due to a conflict of interest.

WHEREAS, the County of Scott, State of Iowa (the "Issuer"), is a County authorized and empowered by the provisions of Chapter 419 of the Code of Iowa, as amended (the "Act"), to issue revenue bonds or notes for the purpose of financing the cost of acquiring, by construction or purchase, land, buildings, improvements and equipment, or any interest therein, suitable for the use of any facility for an organization described in Section 501(c)(3) of the Internal Revenue Code (the "Code") which is exempt from federal income tax under Section 501(a) of the Code (a "Tax Exempt Organization") and to refund any bonds or notes issued pursuant to the Act; and

WHEREAS, the Issuer has been requested by Christian Retirement Homes, Inc. d/b/a Ridgecrest Village (the "Borrower"), a Tax Exempt Organization, to issue its Revenue Refunding Bonds (Ridgecrest Village Project), in one or more series, in an aggregate principal amount not to exceed \$13,500,000 (the "Bonds") pursuant to the Act and loan the proceeds thereof to the Borrower for the purpose of: (i) refunding the Issuer's outstanding Revenue Refunding Bonds (Ridgecrest Village), Series 2006, originally issued in the principal amount of \$13,820,000 (the "Prior Bonds"), the proceeds of which were used to (a) refund the Issuer's previous issues of \$11,500,000 Revenue Bonds (Ridgecrest Village Project), Series 2000A and \$2,500,000 Revenue Bonds (Ridgecrest Village Project), Series 2000B, Extendable Rate Adjustment SecuritiesSM (EXTRASSM), (b) fund a debt service reserve fund for the Prior Bonds, and (c) pay costs of issuance and certain other costs associated with the issuance of the Prior Bonds; (ii) funding a debt service reserve fund for the Bonds; and (iii) paying costs of issuance and certain other costs associated with the issuance of the Bonds; and

WHEREAS, it is proposed to finance the foregoing through the issuance of the Bonds and to loan the proceeds from the sale of the Bonds to the Borrower under a Loan Agreement between the Issuer and the Borrower, the obligations of which will be sufficient to pay the principal of, premium, if any, and interest on the Bonds as and when the same shall be due and payable; and

WHEREAS, the Bonds, if issued, shall be limited obligations of the Issuer, and shall not constitute nor give rise to a pecuniary liability of the Issuer or a charge against its general credit or taxing powers, and the principal of, interest and premium, if any, on the Bonds shall be payable solely out of the revenues derived from the Loan Agreement; and

WHEREAS, before the Bonds may be issued, it is necessary to conduct a public hearing on the proposal to issue the Bonds, all as required and provided for by Section 419.9 of the Act and Section 147(f) of the Internal Revenue Code; and

WHEREAS, a Memorandum of Agreement in the form and with the contents set forth in Exhibit A attached hereto, has been presented to the Issuer which sets forth certain mutual undertakings and agreements between the Issuer and the Borrower, relating to the further processing of said Bonds;

NOW, THEREFORE, IT IS RESOLVED by the Board of Supervisors of the Issuer, as follows: 1) The Memorandum of Agreement in the form and with the contents set forth in Exhibit A attached hereto is hereby approved, and the Chairperson is hereby authorized to execute said Memorandum of Agreement and the County Auditor is hereby authorized to attest the same and to affix the seal of the Issuer thereto; said Memorandum of Agreement, which constitutes and is hereby made a part of this Resolution, to be in substantially the form, text and containing the provisions set forth in Exhibit A attached hereto. 2) Officials of the Issuer are hereby authorized to take such further action as may be necessary to carry out the intent and purpose of the

Memorandum of Agreement. 3) This Board shall meet on the 6th day of October, 2016, at the Scott County Administrative Center, Davenport, Iowa, at 5:00 o'clock p.m., at which time and place any resident or property owner of the Issuer may present oral or written objections on the proposal to issue the Bonds referred to in the preamble hereof. 4) The County Administrator or his designee is hereby directed to give notice of intention to issue the Bonds, setting forth the amount and purpose thereof, the time when and place where the hearing will be held, by publication at least once not less than fifteen (15) days prior to the date fixed for the hearing, in a newspaper published and having a general circulation within the Issuer. The notice shall be in substantially the following form: NOTICE OF INTENTION TO ISSUE REVENUE REFUNDING BONDS (RIDGECREST VILLAGE PROJECT) The Board of Supervisors of Scott County, Iowa, (the "Issuer") will meet on the 6th day of October, 2016, at 5:00 o'clock p.m., at the Scott County Administrative Center, 600 West 4th Street, Davenport, Iowa 52801, for the purpose of conducting a public hearing on the proposal to issue its Revenue Refunding Bonds (Ridgecrest Village Project) in an amount not to exceed \$13,500,000 (the "Bonds") and to loan said amount to Christian Retirement Homes, Inc. d/b/a Ridgecrest Village (the "Borrower") for the purpose of: (i) refunding the Issuer's outstanding Revenue Refunding Bonds (Ridgecrest Village), Series 2006, originally issued in the principal amount of \$13,820,000 (the "Prior Bonds"), the proceeds of which were used to (a) refund the Issuer's previous issues of \$11,500,000 Revenue Bonds (Ridgecrest Village Project), Series 2000A and \$2,500,000 Revenue Bonds (Ridgecrest Village Project), Series 2000B, Extendable Rate Adjustment SecuritiesSM (EXTRASSM), (b) fund a debt service reserve fund for the Prior Bonds, and (c) pay costs of issuance and certain other costs associated with the issuance of the Prior Bonds; (ii) funding a debt service reserve fund for the Bonds; and (iii) paying costs of issuance and certain other costs associated with the issuance of the Bonds.

The Bonds, when issued, will be limited obligations and will not constitute general obligations of the Issuer nor will they be payable in any manner by taxation, but the Bonds will be payable solely and only from amounts received by the Issuer under a Loan Agreement between the Issuer and the Borrower, the obligations of which will be sufficient to pay the principal of and interest and redemption premium, if any, on the Bonds as and when the same shall become due.

At the time and place, oral or written objections from any resident or property owner of the Issuer may be presented. At such meeting or any adjournment thereof, the Issuer shall adopt a resolution determining whether or not to proceed with the issuance of the Bonds. Written comments may also be submitted to the Issuer at the Scott County Administrative Center, Attn: Scott County Board of Supervisors, 600 West 4th Street, Davenport, Iowa 52801. Written comments must be received by the above hearing date.

By order of the Board of Supervisors of Scott County, Iowa.

5) All resolutions and parts thereof in conflict herewith are hereby repealed to the extent of such conflict.

Moved by Sunderbruch, seconded by Kinzer that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) That the submission for a grant request to the Scott County Regional Authority by the Sheriff's Office for an LED Upgrade Kit for the Sheriff's Office Light Trailer in the amount of \$10,200 is hereby approved as presented. 2) That the chairman is hereby authorized to sign said contract. 3) This resolution shall take effect immediately.

Moved by Sunderbruch, seconded by Earnhardt that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) Iowa Code Section 445.63 states that when taxes are owing against a parcel owned or claimed by the state or a political subdivision of this state and the taxes are owing before the parcel was acquired by the state or a political subdivision of this state, the county treasurer shall give notice to the appropriate governing body which shall pay the amount of the taxes due. If the governing body fails to immediately pay the taxes due, the board of supervisors shall abate all of the taxes. 2) Scott County has obtained two parcels for the Scott County Sheriff's Patrol that need abatement of both installment of the current 2015 taxes for parcels 932449401 and 932449402 in the amount of \$4,084.00. 3) The County Treasurer is hereby directed to strike the amount of property taxes due on these parcels in accordance with Iowa Code Section 445.63. 4) This resolution shall take effect immediately.

Moved by Sunderbruch, seconded by Holst that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) Iowa Code Chapter 445.16 states that if the County Treasurer makes a recommendation to the Board of Supervisors to abate taxes the collection of which is determined to be impractical, the Board of Supervisors shall abate the tax interest and costs. 2) The County Treasurer is hereby directed to strike the balance of the following Parcels. Parcel; Deed Owner/ Contract Buyer; Tax Year; Principle, F0054-06D; City of Davenport; 2013; \$4,724.00, F0054-06D; City of Davenport; 2014; \$4,448.00, F0054-06D; City of Davenport; 2015; \$4,398.00, Total \$13,570.00. 3) This resolution shall take effect immediately.

Moved by Sunderbruch, seconded by Earnhardt that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) Iowa Code Chapter 445.16 states that if the County Treasurer makes a recommendation to the Board of Supervisors to abate taxes the collection of which is determined to be impractical, the Board of Supervisors shall abate the tax interest and costs. 2) The County Treasurer is hereby directed to strike the balance of the following Parcels. Parcel; Deed Owner/ Contract Buyer; Tax Year; Principle,

721933651-L; Robert Woods; 2010-2013; \$332.00, J0037-01A; Blackhawk Foundry; 2008-2012; \$1,956.00. 3) This resolution shall take effect immediately.

Moved by Sunderbruch, seconded by Holst that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) That the appointment of Wes Wulf, Walcott, to the Benefited Fire District #6 for a three (3) year term expiring on June 30, 2019 is hereby approved. 2) This resolution shall take effect immediately.

Moved by Sunderbruch, seconded by Earnhardt a motion approving a beer/liquor license renewal for Slaby's Bar and Grill. All Ayes.

Moved by Sunderbruch, seconded by Kinzer that the following resolution be approved. Roll Call: All Ayes.

BE IT RESOLVED: 1) The Scott County Board of Supervisors approves for payment all warrants numbered 278597 through 278831 as submitted and prepared for payment by the County Auditor, in the total amount of \$1,168,222.79. 2) The Board of Supervisors approves for payment to Wells Fargo Bank all purchase card program transactions as submitted to the County Auditor for review in the amount of \$65,770.55. 3) This resolution shall take effect immediately.

Moved by Earnhardt, seconded by Kinzer a motion to adjourn. All Ayes.

Jim Hancock, Chair of the Board
Scott County Board of Supervisors

ATTEST: Roxanna Moritz
Scott County Auditor

Scott County Board of Supervisors
September 20, 2016 8:00 a.m.

The Board of Supervisors met as a committee of the whole and pursuant to adjournment with Earnhardt, Kinzer, Holst and Hancock present. Supervisor Sunderbruch was absent.

Moved by Earnhardt, seconded by Holst at 9:17 a.m. a motion to close the meeting pursuant to Iowa Code Section 20.17(3) which exempts meetings to discuss strategies in collective bargaining from the provisions of Iowa Code Chapter 21 (Open Meetings). Roll Call: All Ayes.

Moved by Earnhardt, seconded by Kinzer at 10:02 a.m. a motion to convene in open session. Roll Call: All Ayes.

Moved by Earnhardt, seconded by Holst at 10:09 a.m. a motion to adjourn. All Ayes.

Jim Hancock, Chair of the Board
Scott County Board of Supervisors

ATTEST: Roxanna Moritz
Scott County Auditor

The Board of Supervisors met pursuant to adjournment with Earnhardt, Kinzer, Holst and Hancock present. Supervisor Sunderbruch was absent. The Board recited the pledge of allegiance.

Moved by Earnhardt, seconded by Holst approval of the minutes of the September 8, 2016 Regular Board Meeting and the minutes of the September 20, 2016 Committee of the Whole Meeting (including closed session). All Ayes.

Moved by Earnhardt, seconded by Holst that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) That the low bid for the Bridge Replacement Project L-318 on 230th Street over Hickory Creek in Sheridan Township be awarded to the low bidder, Jim Schroeder Construction, Inc. of Bellevue, Iowa, for a total cost of \$261,485.45. 2) That the Chairman be authorized to sign the contract documents on behalf of the Board. 3) That this resolution shall take effect immediately.

Moved by Earnhardt, seconded by Kinzer that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) That the Engineer of the Scott County be authorized to sign the Living Roadway Trust Funds grant for the Electronics for Collecting Roadside Data for Scott County. Agreement authorizes Jon Burgstrum to start work, incur costs, and receive reimbursement. 2) That this resolution shall take effect immediately.

Moved by Kinzer, seconded by Earnhardt that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) That said Board of Supervisors does hereby recognize the retirement of Hal Shelton and conveys its appreciation for 10 years of faithful service to Scott County. 2) This resolution shall take effect immediately.

Moved by Kinzer, seconded by Holst that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) The hiring of Ethan Roling for the position of Correction Officer in the Sheriff's Office at the entry level rate. 2) The hiring of Vincent Brodersen for the position of part-time Bailiff in the Sheriff's Office at the entry level rate. 3) The hiring of Nathan Poell for the position of Service Technician in the Secondary Roads Department at the entry level rate.

Moved by Holst, seconded by Kinzer that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) The 2015 property taxes, due September 2016 and March 2017 including interest and penalties for Donald/Ramona Simms, 2615 Telegraph Road, Davenport, Iowa, in the amount of \$1,150.37 and utility fees/special assessments in the amount of \$195.49 (receipt #061141), \$189.30 (receipt #054621) and \$187.58 (receipt #066742) are hereby suspended. 2) That the County Treasurer is hereby directed to suspend collection of the above stated taxes, assessments, and rates or charges, including interest, fees, and costs, thereby establishing a lien on said property as required by law, with future collection to include statutory interest. 3) This resolution shall take effect immediately.

Moved by Holst, seconded by Earnhardt that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) FY16 year-end fund transfers as presented by the County Administrator are hereby approved. 2) This resolution shall take effect immediately.

From Fund	To Fund	Amount	Reason
General Fund	Vehicle	\$235,000	Property Tax Funding
General Fund	Secondary Roads	\$775,000	Property Tax Funding
General Fund	Electronic Equip	\$610,000	Property Tax Funding
General Fund	Capital	\$990,000	Property Tax Funding
General Fund	Capital	\$545,030	Conservation CIP projects
General Fund	Capital	\$2,694,000	One time uses of fund balance
General Fund	Capital	\$61,149	Transfer of Conservation REAP to CIP
General Fund	Capital	\$55,910	Use of Restricted Forfeiture funds for CIP
General Fund	Capital	\$53,864	Use of Restricted Commissary funds for CIP
General Fund	Cons CIP	\$243,782	Conservation Fee Transfer
General Fund	Cons CIP	\$33,993	Lake Canyada earned escrow transfer
General Fund	General Supplemental	\$5,152,037	Property tax funding
General Fund	Golf Course Enterprise	\$100,000	Conservation Fee Transfer
General Fund	Insurance Fund	\$270,000	Prior Year General Fund Assigned Balance
Rural Services	Secondary Roads	\$2,310,000	Property tax funding
Electronic Equip	Capital	\$610,000	Electronic equipment purchases
Cons CIP	Capital	\$97,464	Use of Conservation CIP funds
Cons CIP	Capital	\$56,902	Correction of FY 15 Use of Conservation CIP funds
Cons Equip	General	\$70,868	Use of Conservation Equip funds
Recorder Mgmt Fees	General	\$20,000	To fund Recorder Record Mgmt authorized expenditures

Moved by Holst, seconded by Earnhardt that the following resolution be approved. Roll Call: All Ayes.

BE IT RESOLVED: 1) The Scott County Board of Supervisors approves for payment all warrants numbered 278841 through 279098 as submitted and prepared for payment by the County Auditor, in the total amount of \$761,910.61. 2) This resolution shall take effect immediately.

Moved by Earnhardt, seconded by Kinzer a motion to adjourn. All Ayes.

Jim Hancock, Chair of the Board
Scott County Board of Supervisors

ATTEST: Roxanna Moritz
Scott County Auditor

Scott County Board of Supervisors
October 4, 2016 8:00 a.m.

The Board of Supervisors met as a committee of the whole and pursuant to adjournment with Kinzer, Sunderbruch, Holst, Hancock and Earnhardt present.

Moved by Earnhardt, seconded by Kinzer at 10:22 a.m. a motion to adjourn. All Ayes.

Jim Hancock, Chair of the Board
Scott County Board of Supervisors

ATTEST: Roxanna Moritz
Scott County Auditor

The Board of Supervisors met pursuant to adjournment with Kinzer, Sunderbruch, Holst, Hancock and Earnhardt present. The Board recited the pledge of allegiance.

Moved by Sunderbruch, seconded by Earnhardt approval of the minutes of the September 22, 2016 Regular Board Meeting and the minutes of the October 4, 2016 Committee of the Whole Meeting. All Ayes.

Moved by Earnhardt, seconded by Kinzer a motion to open a public hearing relative to the issuance of Not to Exceed \$13,500,000 Revenue Refunding Bonds (Ridgecrest Village Project) (Conduit Bonds). Four Ayes with Sunderbruch abstaining due to a conflict of interest.

No one from the public spoke.

Moved by Earnhardt, seconded by Kinzer a motion to close the public hearing. Four Ayes with Sunderbruch abstaining due to a conflict of interest.

Moved by Earnhardt, seconded by Holst a motion to open a public hearing relative to an ordinance to rezone 7.5 acres more or less from "Agricultural General (A-G)" to "Commercial-Light Industrial (C-2)" on property in the NW ¼ of the SW ¼ of Section 27 of Sheridan Township. All Ayes.

No one from the public spoke.

Moved by Earnhardt, seconded by Holst a motion to close the public hearing. All Ayes.

Moved by Earnhardt, seconded by Sunderbruch the first of two readings of an ordinance to rezone 7.5 acres more or less from "Agricultural General (A-G)" to "Commercial-Light Industrial (C-2)" on property described as the North 250 feet of Scott County Parcel #932733001 in the NW ¼ of the SW ¼ of Section 27 of Sheridan Township. Roll Call: All Ayes.

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 Agricultural-General (A-G), to Commercial and Light Industrial (C-2) to-wit:

The north two hundred and fifty (250) feet of the Northwest Quarter of the Southwest Quarter (NW¼SW¼) of Section 27, Township 79 North, Range 3 East of the 5th Principal Meridian (Sheridan Township). The described Tract contains an area of 7.5 acres, more or less.

Section 2. This ordinance changing the above described land to Commercial Light Industrial (C-2) 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.

Moved by Kinzer, seconded by Holst that the following resolution be approved.
All Ayes.

BE IT RESOLVED: 1) That one employee may be awarded 8 hours of floating holiday via a raffle for United Way participants to be used by June 30, 2017. 2) This resolution shall take effect immediately.

Moved by Kinzer, seconded by Earnhardt that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) The hiring of Kathryn DeLaRosa for the position of Medical Assistant in the Health Department at the entry level rate.

Moved by Holst, seconded by Sunderbruch that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) The 2015 property taxes, due in September 2016 and March 2017 for Daniel Aromando, 1955 Tanglefoot Lane, Bettendorf, Iowa in the amount of \$2,223.00 including interest are hereby suspended. 2) The County Treasurer is hereby requested to suspend the collection of the above stated taxes thereby establishing a lien on said property as required by law with future collection to include statutory interest, if any. 3) This resolution shall take effect immediately.

Moved by Holst, seconded by Sunderbruch that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) That Scott County has been directed by the Iowa Department of Human Services to suspend the collection of the 2015 property taxes for Dwight Bishop, 2623 College Avenue, Davenport, Iowa, in the amount of \$1,733.00 including interest

are hereby suspended. 2) That the collection of all property taxes assessed against the parcel at 2623 College Avenue, Davenport, Iowa remaining unpaid shall be suspended for such time as Dwight Bishop remains the owner of such property, and during the period he receives assistance as described in Iowa Code Section 427.9. 3) That the County Treasurer is hereby directed to suspend collection of the above stated taxes thereby establishing a lien on said property as required by law, with future collection to include statutory interest. 4) This resolution shall take effect immediately.

Moved by Holst, seconded by Earnhardt that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) The 2015 property taxes due in September 2016 and March 2017 for Barbara Olsen, 717 North Moselle Street, Blue Grass, Iowa, in the amount of \$1,590.00 including interest are hereby suspended. 2) The County Treasurer is hereby directed to suspend the collection of the above stated taxes and utility fees thereby establishing a lien on said property as required by law with future collection to include statutory interest, if any. 3) This resolution shall take effect immediately.

Moved by Sunderbruch, seconded by Earnhardt that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) That the County hereby pledges Fifty Thousand Dollars (\$50,000.00) to the building of the Scott County Library's Walcott branch. 2) That the Board of Supervisors will address during the FY18 budgeting process the funding schedule and mechanism. 3) This resolution shall take effect immediately.

Moved by Sunderbruch, seconded by Kinzer that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) The purchase of SolarWinds software maintenance and support from Loop1 Systems in the amount of \$24,575 is hereby approved. 2) This resolution shall take effect immediately.

Moved by Sunderbruch, seconded by Earnhardt that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) Iowa Code Section 445.63 states that when taxes are owing against a parcel owned or claimed by the state or a political subdivision of this state and the taxes are owing before the parcel was acquired by the state or a political subdivision of this state, the county treasurer shall give notice to the appropriate governing body which shall pay the amount of the taxes due. If the governing body fails to immediately pay the taxes due, the board of supervisors shall abate all of the taxes. 2) City of Davenport has requested the abatement of taxes for the following parcels: L0017A01D; 2015; \$19,478.00, F0051-45; 2015; \$540.00, G0020-33; 2015; \$404.00, G0036-17; 2015; \$50.00, L0008-19; 2015; \$4,996.00, Y0651-OLA; 2015; \$2.00, Y0701-OLB; 2015; \$8.00, 20503-OLB; 2014 & 2015; \$172.00. 3) The County Treasurer is hereby

directed to strike the amount of property taxes due on these parcels in accordance with Iowa Code Section 445.63. 4) This resolution shall take effect immediately.

Moved by Holst, seconded by Earnhardt that the following resolution be approved. Roll Call: Four Ayes with Sunderbruch abstaining due to a conflict of interest.

RESOLUTION AUTHORIZING AND PROVIDING FOR THE ISSUANCE OF NOT TO EXCEED \$13,500,000 AGGREGATE PRINCIPAL AMOUNT OF REVENUE REFUNDING BONDS (RIDGECREST VILLAGE PROJECT), SERIES 2016 (THE "BONDS") OF SCOTT COUNTY, IOWA, FOR THE PURPOSE OF LENDING THE PROCEEDS THEREOF TO CHRISTIAN RETIREMENT HOMES, INC. d/b/a RIDGECREST VILLAGE (THE "BORROWER"); THE EXECUTION AND DELIVERY OF A LOAN AGREEMENT BETWEEN THE COUNTY AND THE BORROWER; THE EXECUTION AND DELIVERY OF A FIFTH AMENDMENT TO MORTGAGE TO SECURE THE BONDS; THE SALE OF THE BONDS; AND THE EXECUTION OF OTHER DOCUMENTS RELATED TO THE BONDS

WHEREAS, the County of Scott, State of Iowa (the "Issuer"), is a County authorized and empowered by the provisions of Chapter 419 of the Code of Iowa, as amended (the "Act"), to issue revenue bonds or notes for the purpose of financing the cost of acquiring, by construction or purchase, land, buildings, improvements and equipment, or any interest therein, suitable for the use of any facility for an organization described in Section 501(c)(3) of the Internal Revenue Code (the "Code") which is exempt from federal income tax under Section 501(a) of the Code (a "Tax Exempt Organization") and to refund any bonds or notes issued pursuant to the Act; and

WHEREAS, the Issuer has been requested by Christian Retirement Homes, Inc. d/b/a Ridgecrest Village (the "Borrower"), a Tax Exempt Organization, to issue its Revenue Refunding Bonds (Ridgecrest Village Project), Series 2016, in one or more series, in an aggregate principal amount not to exceed \$13,500,000 (the "Bonds") pursuant to the Act and loan the proceeds thereof to the Borrower for the purpose of: (i) refunding the Issuer's outstanding Revenue Refunding Bonds (Ridgecrest Village), Series 2006, originally issued in the principal amount of \$13,820,000 (the "Prior Bonds"), the proceeds of which were used to (a) refund the Issuer's previous issues of \$11,500,000 Revenue Bonds (Ridgecrest Village Project), Series 2000A and \$2,500,000 Revenue Bonds (Ridgecrest Village Project), Series 2000B, Extendable Rate Adjustment SecuritiesSM (EXTRASSM), (b) fund a debt service reserve fund for the Prior Bonds, and (c) pay costs of issuance and certain other costs associated with the issuance of the Prior Bonds; (ii) funding a debt service reserve fund for the Bonds; and (iii) paying costs of issuance and certain other costs associated with the issuance of the Bonds; and

WHEREAS, it is proposed to finance the foregoing through the issuance of the Bonds and to loan the proceeds from the sale of the Bonds to the Borrower under a Loan Agreement between the Issuer and the Borrower (the "Loan Agreement"), the obligations of which will be sufficient to pay the principal of, premium, if any, and interest on the Bonds as and when the same shall be due and payable; and

WHEREAS, the Bonds, when issued, shall be limited obligations of the Issuer, and shall not constitute nor give rise to a pecuniary liability of the Issuer or a charge against its general credit or taxing powers, and the principal of and interest and premium, if any, on the Bonds shall be payable solely out of the revenues derived from the aforementioned Loan Agreement or otherwise as provided therein; and

WHEREAS, notice of intention to issue the Bonds has, as directed by the Board of Supervisors of the Issuer, been duly given in compliance with the Act and Section 147(f) of the Internal Revenue Code; and

WHEREAS, a public hearing has been held on the proposal to issue the Bonds at the time and place as specified in the notice and all objections or other comments relating to the issuance of the Bonds have been heard; and

WHEREAS, it is proposed that the Bonds be sold to Cedar Rapids Bank & Trust (the "Lender");

NOW, THEREFORE, Be It Resolved by the Board of Supervisors of Scott County, Iowa, as follows: 1) In order to finance the foregoing purposes, the Bonds, in an aggregate principal amount not to exceed \$13,500,000, are hereby authorized and ordered to be issued by the Issuer pursuant to the Loan Agreement, in substantially the form as has been presented to and considered by this Board and containing substantially the terms and provisions set forth therein. The Bonds will bear interest at an initial rate not to exceed 4% per annum as may be determined by the Borrower and the Lender prior to the issuance thereof and as adjusted from time to time as provided in the Bonds. The Chairperson and County Auditor are hereby authorized and directed to execute and deliver the Bonds in such amount and rates as may be determined by the Borrower and the Lender, within the foregoing limits by and on behalf of the Issuer. 2) The Issuer shall loan to the Borrower the proceeds of the Bonds pursuant to the Loan Agreement in substantially the form as has been presented to and considered by this Board and containing substantially the terms and provisions set forth therein, and the Chairperson and the County Auditor are hereby authorized and directed to execute and deliver the Loan Agreement with such changes, modifications, deletions or additions as deemed appropriate by Bond Counsel. 3) The Fifth Amendment to Loan Agreement, Mortgage and Security Agreement among the Issuer, the Borrower and the Lender (the "Fifth Amendment to Mortgage") amending and supplementing the Loan Agreement, Mortgage and Security Agreement dated as of October 15, 1993 (the "Original Mortgage") as previously amended and supplemented by the First Amendment to Loan Agreement, Mortgage and Security Agreement dated as of September 1, 2000 (the "First Amendment to Mortgage"), the Second Amendment to Loan Agreement, Mortgage and Security Agreement dated as of November 1, 2004 (the "Second Amendment to Mortgage"), the Third Amendment to Loan Agreement, Mortgage and Security Agreement dated as of September 1, 2006 (the "Third Amendment to Mortgage"), and the Fourth Amendment to Loan Agreement, Mortgage and Security Agreement dated as of December 1, 2015 (the "Fourth Amendment to Mortgage," and

together with the First Amendment to Mortgage, the Second Amendment to Mortgage, the Third Amendment to Mortgage, the Fifth Amendment to Mortgage and the Original Mortgage, the "Mortgage"), to subject the Borrower's facilities and the real estate relating thereto to the lien of the Mortgage and to provide for the issuance of the Series 2016 Note (as defined in the Loan Agreement) on a parity with the Series 2015 Note (as defined in the Loan Agreement), is authorized and approved and the execution and delivery of the Fifth Amendment to Mortgage by the Chairperson and the County Auditor are hereby authorized and approved. 4) It is hereby found, determined and declared that the Bonds and interest and premium, if any, thereon shall never constitute the debt or indebtedness of the Issuer within the meaning of any constitutional or statutory provision or limitation and shall not constitute nor give rise to a pecuniary liability of the Issuer or a charge against its general credit or taxing powers, but the Bonds and interest and premium, if any, thereon shall be payable solely and only from the revenues derived from the Loan Agreement and the debt obligations of the Borrower delivered pursuant thereto; and no part of the cost of financing the foregoing purposes will be payable out of the general funds or other contributions of the Issuer (except the proceeds of the Bonds). 5) The Chairperson and the County Auditor are hereby authorized and directed to execute, attest, seal and deliver any and all documents and do any and all things deemed necessary to effect the issuance and sale of the Bonds and the execution and delivery of the Loan Agreement and the Fifth Amendment to Mortgage, and certificates and agreements concerning the maintenance of the tax-exempt status of the Bonds, and to carry out the intent and purposes of this Resolution, including the preamble hereto and the execution by the Chairperson and, if required, the County Auditor, of the Bonds, the Loan Agreement, the Fifth Amendment to Mortgage, and certificates and agreements concerning the maintenance of the tax-exempt status of the Bonds shall constitute conclusive evidence of their approval and this Board's approval thereof and of any and all changes, modifications, additions or deletions therein from the respective forms thereof now before this meeting. 6) The provisions of this Resolution are hereby declared to be separable and if any action, phrase or provision shall for any reason be declared to be invalid, such declaration shall not affect the validity of the remainder of the sections, phrases and provisions. 7) All resolutions or parts thereof in conflict herewith are repealed, to the extent of such conflict. 8) That this Resolution shall become effective immediately upon its passage and approval.

Moved by Sunderbruch, seconded by Earnhardt a motion to approve filing of quarterly financial reports from various county offices. All Ayes.

Moved by Sunderbruch, seconded by Kinzer that the following resolution be approved. Roll Call: All Ayes.

BE IT RESOLVED: 1) The Scott County Board of Supervisors approves for payment all warrants numbered 279116 through 279388 as submitted and prepared for payment by the County Auditor, in the total amount of \$1,643,377.90. 2) The Board of Supervisors approves for payment to Wells Fargo Bank all purchase card program transactions as submitted to the County Auditor for review in the amount of \$93,180.79. 3) This resolution shall take effect immediately.

Moved by Earnhardt, seconded by Kinzer a motion to adjourn. All Ayes.

Jim Hancock, Chair of the Board
Scott County Board of Supervisors

ATTEST: Roxanna Moritz
Scott County Auditor

Scott County Board of Supervisors
October 18, 2016 8:00 a.m.

The Board of Supervisors met as a committee of the whole and pursuant to adjournment with Sunderbruch, Holst, Hancock, Earnhardt and Kinzer present.

Moved by Earnhardt, seconded by Kinzer at 9:12 a.m. a motion to adjourn. All Ayes.

Jim Hancock, Chair of the Board
Scott County Board of Supervisors

ATTEST: Roxanna Moritz
Scott County Auditor

The Board of Supervisors met pursuant to adjournment with Sunderbruch, Holst, Hancock, Earnhardt and Kinzer present. The Board recited the pledge of allegiance.

Moved by Sunderbruch, seconded by Earnhardt approval of the minutes of the October 6, 2016 Regular Board Meeting and the minutes of the October 18, 2016 Committee of the Whole Meeting. All Ayes.

Moved by Earnhardt, seconded by Kinzer a motion to open a public hearing relative to the Juvenile Detention Expansion and Planning & Development Relocation Project. All Ayes.

No one from the public spoke.

Moved by Earnhardt, seconded by Kinzer a motion to close the public hearing. All Ayes.

Moved by Earnhardt, seconded by Holst that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) That the quote received for subsurface exploratory borings and geotechnical engineering services for bridge replacement projects BROS-C082(57)--8J-82 and L-619--73-82 is hereby approved and awarded to TEAM Services in the amount of \$10,380.00. 2) That this resolution shall take effect immediately.

Moved by Earnhardt, seconded by Sunderbruch the second and final reading of an ordinance to rezone 7.5 acres more or less from "Agricultural General (A-G)" to "Commercial-Light Industrial (C-2)" on property described as the North 250 feet of Scott County Parcel #932733001 in the NW ¼ of the SW ¼ of Section 27 of Sheridan Township. Roll Call: All Ayes.

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 Agricultural-General (A-G), to Commercial and Light Industrial (C-2) to-wit:

The north two hundred and fifty (250) feet of the Northwest Quarter of the Southwest Quarter (NW¼SW¼) of Section 27, Township 79 North, Range 3 East of the 5th Principal Meridian (Sheridan Township). The described Tract contains an area of 7.5 acres, more or less.

Section 2. This ordinance changing the above described land to Commercial Light Industrial (C-2) 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.

Moved by Earnhardt, seconded by Kinzer that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) That the plans and specifications as prepared by Wold Architects and Engineers for the Juvenile Detention Expansion and Planning & Development Relocation project are hereby approved. 2) That Facility and Support Services is authorized to proceed in soliciting bids for this work. 3) This resolution shall take effect immediately.

Moved by Earnhardt, seconded by Kinzer that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) That the bids received for structured telecommunications cabling for the Sheriff Patrol project is hereby approved and awarded to Tri City Communications in the amount of \$15,095.00. 2) This resolution shall take effect immediately.

Moved by Earnhardt, seconded by Holst that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) The authority of the FSS Director to sign a contract for fiber optic cable installation the Secondary Roads Maintenance Facility with Tri-City Electric for the amount of \$23,084.14 is hereby approved. 2) This resolution shall take effect immediately.

Moved by Kinzer, seconded by Sunderbruch that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) The hiring of Daniel Cioranu for the position of part-time Custodial Worker in the Facility & Support Services Department at the entry level rate. 2) The hiring of Melissa Eichmeier for the position of Multi-Service Clerk in the Treasurer's Office at the entry level rate.

Moved by Kinzer, seconded by Earnhardt that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) That the proposal from Avesis for twenty four months for a fully funded vision plan is hereby accepted and approved. 2) That the Human Resources Director hereby authorized to sign the vision insurance contracts for services on behalf of the Board. 3) This resolution shall take effect immediately.

Moved by Kinzer, seconded by Holst that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) The following schedule of family health care premium rates for Scott County employees in calendar year 2017 is hereby approved:

Health/Pharmaceutical	\$186.70 / mo
Dental	\$ 12.12 / mo
Avesis Vision	\$ 1.91 / mo

2) Employee's opting to take the Dental supplemental plan shall pay an additional \$5.00/month for single or family coverage. 3) This resolution shall take effect on January 1, 2017.

Moved by Kinzer, seconded by Earnhardt that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) That the proposal from United Health Care for three years for CY17-19 for third party administration services. 2) That the Human Resources Director hereby authorized to sign the health insurance contracts for services on behalf of the Board. 3) This resolution shall take effect immediately.

Moved by Kinzer, seconded by Sunderbruch that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) That the proposal from Munich Re for one year agreement for specific and aggregate stop loss coverage is hereby accepted and approved. 2) That the Human Resources Director hereby authorized to sign the health insurance contracts for services on behalf of the Board. 3) This resolution shall take effect immediately.

Moved by Kinzer, seconded by Holst that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) That Human Resources Policy P "Insurance and Deferred Compensation" updates the policy by adding language regarding coverage of married employees and revises Healthy Lifestyles language so the program is consistent with unionized staff. 2) This resolution shall take effect immediately. However, the language in Policy P will not be implemented until January 1, 2017.

Moved by Holst, seconded by Earnhardt that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) The 2015 property taxes due in September 2016 and March 2017 for Tommy Miller, 15 Crestwood Terrace, Davenport, Iowa, in the amount of \$2,202.00 are hereby suspended. 2) The County Treasurer is hereby directed to suspend the collection of the above stated taxes thereby establishing a lien on said property as required by law with future collection to include statutory interest, if any. 3) This resolution shall take effect immediately.

Moved by Holst, seconded by Kinzer that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) The 2015 property taxes due in September 2016 and March 2017 accrued for Cyrus Sarvestaney, 2114 Gaines Street, Davenport, Iowa, in the amount of \$1,217.00 including interest are hereby suspended. 2) The County Treasurer is hereby directed to suspend the collection of the above stated taxes and utility fees thereby establishing a lien on said property as required by law with future collection to include statutory interest, if any. 3) This resolution shall take effect immediately.

Moved by Holst, seconded by Earnhardt that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) That Scott County has been directed by the Iowa Department of Human Services to suspend the collection of the 2015 property taxes for Candy Appleby, 6153 South Concord Street, Davenport, Iowa, in the amount of \$306.00 including interest are hereby suspended. 2) That the collection of all property taxes assessed against the parcel at 6153 South Concord Street, Davenport, Iowa remaining unpaid shall be suspended for such time as Candy Appleby remains the owner of such property, and during the period he receives assistance as described in Iowa Code Section 427.9. 3) That the County Treasurer is hereby directed to suspend collection of the above stated taxes thereby establishing a lien on said property as required by law, with future collection to include statutory interest. 4) This resolution shall take effect immediately.

Moved by Sunderbruch, seconded by Earnhardt that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) Iowa Code Section 445.63 states that when taxes are owing against a parcel owned or claimed by the state or a political subdivision of this state and the taxes are owing before the parcel was acquired by the state or a political subdivision of this state, the county treasurer shall give notice to the appropriate governing body which shall pay the amount of the taxes due. If the governing body fails to immediately pay the taxes due, the board of supervisors shall abate all of the taxes. 2) City of Davenport has requested the abatement of taxes for the following parcels:

Parcel; Site Address; Year; Amount, E0047-01C; Legal Section 30, Range 4, Township 78 etal; 2015; \$4,458.00, F0042-27; Legal Fulton's River Lot 000, Block 27; 2015; \$2,186.00, F0053-05; 844 Charlotte St, Davenport, IA; 2015; \$792.00, F0054-04C; Legal Rashall House Inc Leased land (Levee Commission); 2015; \$3,700.00, L0009-20; 108 E 2nd St, Davenport, IA; 2015; \$3,416.00, L0009-21; 110 E 2nd St, Davenport, IA; 2015; \$3,498.00, L0022-02; 102 S Harrison St, Davenport, IA; 2015; \$5,270.00, R0841-01; Legal Sec 08, Range 3, Township 77; 2015; \$332.00, Y0549OLA; Legal Forest Road Estates Addition; 2015; \$100.00, Y0701-OLA; Legal Prairie Pointe 1st6 Add, lot OLA; 2015; \$192.00. 3) The County Treasurer is hereby directed to strike the amount of property taxes due on these parcels in accordance with Iowa Code Section 445.63. 4) This resolution shall take effect immediately.

Moved by Sunderbruch, seconded by Holst that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) That the appointment of Linda Holdorf, Donahue, Iowa, to the Benefited Fire District #5 for an unexpired three (3) year term expiring on July 19, 2018 is hereby approved. 2) This resolution shall take effect immediately.

Moved by Sunderbruch, seconded by Earnhardt that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) That the appointment of Mahesh Sharma to the Quad Cities First for a two (2) year unexpired term expiring on June 30, 2017 is hereby approved. 2) This resolution shall take effect immediately.

Moved by Sunderbruch, seconded by Holst a motion approving a cigarette/tobacco permit for Casey's General Store #3523. All Ayes.

Moved by Sunderbruch, seconded by Earnhardt that the following resolution be approved. Roll Call: All Ayes.

BE IT RESOLVED: 1) The Scott County Board of Supervisors approves for payment all warrants numbered 279400 through 279698 as submitted and prepared for payment by the County Auditor, in the total amount of \$1,308,327.09. 2) This resolution shall take effect immediately.

Moved by Earnhardt, seconded by Kinzer a motion to adjourn. All Ayes.

Jim Hancock, Chair of the Board
Scott County Board of Supervisors

ATTEST: Roxanna Moritz
Scott County Auditor

Scott County Board of Supervisors
November 1, 2016 8:00 a.m.

The Board of Supervisors met as a committee of the whole and pursuant to adjournment with Holst, Hancock, Earnhardt, Kinzer and Sunderbruch present.

Moved by Earnhardt, seconded by Kinzer at 8:56 a.m. a motion to adjourn. All Ayes.

Jim Hancock, Chair of the Board
Scott County Board of Supervisors

ATTEST: Roxanna Moritz
Scott County Auditor

The Board of Supervisors met pursuant to adjournment with Holst, Hancock, Earnhardt, Kinzer and Sunderbruch present. The Board recited the pledge of allegiance.

Moved by Sunderbruch, seconded by Earnhardt approval of the minutes of the October 20, 2016 Regular Board Meeting and the minutes of the November 1, 2016 Committee of the Whole Meeting. All Ayes.

Moved by Hancock, seconded by Earnhardt a motion to open a public hearing relative to the 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)". All Ayes.

Tim Huey, Planning and Development Director, explained the application and displayed maps of the proposed rezoning areas.

Dan Schneckloth, from Mel Foster, representative for the applicant, talked to the Board about how the new owners plan to build a family home on the property and lease out part of the land for farming.

Moved by Hancock, seconded by Earnhardt a motion to close the public hearing. All Ayes.

Moved by Hancock, seconded by Earnhardt a motion to open a public hearing relative to the Planning and Zoning Commission's recommendation on the request of Paul and Marijo Anderson to rezone 350 acres, more or less, from Agricultural-Preservation (A-P) to Agricultural-General (A-G). All Ayes.

Tim Huey, Planning and Development Director, explained the rezoning request to the Board.

Gary Mehrens, 2733 N Lincoln Avenue, Davenport, questioned if there are plans for Residential development after this rezoning.

Marijo Anderson, applicant, told the Board that the owners have no plans for the property now and that she doesn't think the 350 acres, currently being farmed, will be developed.

Moved by Hancock, seconded by Earnhardt a motion to close the public hearing. All Ayes.

Moved by Earnhardt, seconded by Kinzer that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) As the local governing body responsible for the approval of subdivision plats within its rural jurisdiction, the Scott County Board of Supervisors has on this 3rd day of November considered the Final Plat of Mt. Carmel Addition, a four (4) lot subdivision, being Lot 2 of Haessler's First Subdivision of part of the W $\frac{1}{2}$ of Section 14 and a part of the SW $\frac{1}{4}$ of Section 14 all in Township 79 North, Range 5 East of the 5th P.M. (LeClaire Township) and having found the same made in substantial accordance with the provisions of Chapter 354, Code of Iowa, and the Scott County Subdivision Ordinance, does hereby approve the Final Plat of said subdivision. 2) The Board Chairman is authorized to sign the Certificate of Approval on behalf of the Board of Supervisors and the County Auditor to attest to his signature. 3) This resolution shall take effect immediately.

Moved by Earnhardt, seconded by Holst that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) As the local governing body responsible for the approval of subdivision plats within its rural jurisdiction, the Scott County Board of Supervisors has on this 17th day of March 2011 considered the Final Plat of Kauth's 3rd Addition an eight (8) lot subdivision, formerly Lot 13 of Kauth's 2nd Addition located in part of the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 15, Buffalo Township, 77 North, Range 2 East of the 5th Principal Meridian (Buffalo Township), Scott County, Iowa, and having found the same made in substantial accordance with the provisions of Chapter 354, Code of Iowa, and the Scott County Subdivision Ordinance, does hereby approve the Final Plat of said subdivision. 2) The Board Chairman is authorized to sign the Certificate of Approval on behalf of the Board of Supervisors and the County Auditor to attest to his signature. 3) This resolution shall take effect immediately.

Moved by Kinzer, seconded by Earnhardt that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) The hiring of Carole Ferch for the position of Community Dental Consultant – Older Adult in the Health Department at the entry level rate. 2) The hiring of Leah Kroeger for the position of Community Dental Consultant - Child in the Health Department at the entry level rate.

Moved by Kinzer, seconded by Holst that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) That the County's Health Care Flexible Spending Account is hereby amended to set an indexed cap that complies with changes to the IRS Code. 2) That the Human Resources Director hereby authorized to sign the FSA contracts for services on behalf of the Board. 3) This resolution shall take effect January 1, 2017.

Moved by Holst, seconded by Earnhardt that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) That the FY2017 Contractual Agreement between the Center for Alcohol & Drug Services, Inc. (CADS) and Scott County for reimbursement for prevention services on a monthly basis to include a detailed accounting of actual expenses is hereby approved in the amount of \$40,000. 2) That the chairman is hereby authorized to sign said agreement. 3) This resolution shall take effect immediately.

Moved by Holst, seconded by Kinzer that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) The 2015 property taxes due September 2016 and March 2017 for Valorie Anderson, 1335 West 13th Street, Davenport, Iowa, Parcel: H0025-31 in the amount of \$1,098.00 are hereby suspended. 2) The County Treasurer is hereby requested to suspend the collection of the above stated taxes thereby establishing a lien on said property as required by law with future collection to include statutory interest, if any. 3) This resolution shall take effect immediately.

Moved by Holst, seconded by Sunderbruch that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) The 2015 property taxes due in September 2016 and March 2017 for Ronda Flores, 2316 West 2nd Street, Davenport, Iowa, in the amount of \$475.00 including interest are hereby suspended. 2) The County Treasurer is hereby directed to suspend the collection of the above stated taxes thereby establishing a lien on said property as required by law with future collection to include statutory interest, if any. 3) This resolution shall take effect immediately.

Moved by Holst, seconded by Kinzer that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) The 2015 property taxes due in September 2016 and March 2017 for Sara McDaniel, 6030 Fossen Drive, Davenport, Iowa, in the amount of \$558.00 including interest are hereby suspended. 2) The County Treasurer is hereby directed to suspend the collection of the above stated taxes thereby establishing a lien on said property as required by law with future collection to include statutory interest, if any. 3) This resolution shall take effect immediately.

Moved by Holst, seconded by Sunderbruch that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) he 2015 property taxes due September 2016 and March 2017 for Donna Padavich, 1231 16½ Street, Bettendorf, Iowa, Parcel ID: 84281812107 in the amount of \$1,271.00 including interest are hereby suspended. 2) The County Treasurer is hereby requested to suspend the collection of the above stated taxes thereby establishing a lien on said property as required by law with future collection to include statutory interest, if any. 3) This resolution shall take effect immediately.

Moved by Sunderbruch, seconded by Earnhardt that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) Iowa Code Section 445.63 states that when taxes are owing against a parcel owned or claimed by the state or a political subdivision of this state and the taxes are owing before the parcel was acquired by the state or a political subdivision of this state, the county treasurer shall give notice to the appropriate governing body which shall pay the amount of the taxes due. If the governing body fails to immediately pay the taxes due, the board of supervisors shall abate all of the taxes. 2) Scott County has taken deed for 2 parcels that need abatement: Parcel E0039-03D for the 2014 taxes in the amount of \$2.00 and Parcel K0012-20 for the 2014 taxes in the amount of \$380.00. 3) The County Treasurer is hereby directed to strike the amount of property taxes due on these parcels in accordance with Iowa Code Section 445.63. 4) This resolution shall take effect immediately.

Moved by Sunderbruch, seconded by Kinzer that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) Iowa Code Chapter 445.16 states that if the County Treasurer makes a recommendation to the Board of Supervisors to abate taxes the collection of which is determined to be impractical, the Board of Supervisors shall abate the tax interest and costs. 2) The County Treasurer is hereby directed to strike the balance of the following Parcel. Parcel; Deed Owner; Tax Year; Interest. 041235022-R; Schellenberg Walter A; 2003; \$332.00. 3) This resolution shall take effect immediately.

Moved by Sunderbruch, seconded by Holst a motion approving a beer/liquor license renewal for Lady Di's Parkview Inn. All Ayes.

Moved by Sunderbruch, seconded by Holst that the following resolution be approved. Roll Call: All Ayes.

BE IT RESOLVED: 1) The Scott County Board of Supervisors approves for payment all warrants numbered 279716 through 279994 as submitted and prepared for payment by the County Auditor, in the total amount of \$1,566,154.25. 2) The Board of Supervisors approves for payment to Wells Fargo Bank all purchase card program transactions as submitted to the County Auditor for review in the amount of \$86,500.62. 3) This resolution shall take effect immediately.

Moved by Earnhardt, seconded by Kinzer a motion to adjourn. All Ayes.

Jim Hancock, Chair of the Board
Scott County Board of Supervisors

ATTEST: Roxanna Moritz
Scott County Auditor

Scott County Board of Supervisors
November 15, 2016 8:00 a.m.

The Board of Supervisors met pursuant to adjournment with Hancock, Earnhardt, Kinzer, Sunderbruch and Holst present.

This special meeting was called for the purpose of canvassing the votes cast at the November 8, 2016 Scott County General Election.

Moved by Earnhardt, seconded by Holst a motion to certify the results of said election. Roll Call: All Ayes.

Moved by Earnhardt, seconded by Kinzer at 8:12 a.m. a motion to adjourn the special meeting. All Ayes.

Jim Hancock, Chair of the Board
Scott County Board of Supervisors

ATTEST: Roxanna Moritz
Scott County Auditor

Scott County Board of Supervisors
November 15, 2016 8:13 a.m.

The Board of Supervisors met as a committee of the whole and pursuant to adjournment with Hancock, Earnhardt, Kinzer, Sunderbruch and Holst present.

Moved by Earnhardt, seconded by Holst at 8:50 a.m. a motion to close the meeting pursuant to Iowa Code Section 21.5(1)(c) to discuss pending litigation. Roll Call: All Ayes.

Moved by Hancock, seconded by Earnhardt at 9:06 a.m. a motion to convene in open session. Roll Call: All Ayes.

Moved by Hancock, seconded by Sunderbruch at 9:07 a.m. a motion to close the meeting pursuant to Iowa Code Section 20.17(3) which exempts meetings to discuss strategies in collective bargaining from the provisions of Iowa Code Chapter 21 (Open Meetings). Roll Call: All Ayes.

Moved by Earnhardt, seconded by Kinzer at 9:40 a.m. a motion to convene in open session. Roll Call: Four Ayes; (Supervisor Sunderbruch had earlier left the meeting).

Moved by Earnhardt, seconded by Kinzer at 9:40 a.m. a motion to adjourn. All Ayes.

Jim Hancock, Chair of the Board
Scott County Board of Supervisors

ATTEST: Roxanna Moritz
Scott County Auditor

Scott County Board of Supervisors
November 17, 2016 5:00 p.m.

The Board of Supervisors met pursuant to adjournment with Hancock, Earnhardt, Kinzer, Sunderbruch and Holst present. The Board recited the pledge of allegiance.

Moved by Sunderbruch, seconded by Earnhardt approval of the minutes of the November 3, 2016 Regular Board Meeting, the minutes of the November 15, 2016 Special Board Meeting (Election Canvass) and the minutes of the November 15, 2016 Committee of the Whole Meeting (including Closed Sessions). All Ayes.

Moved by Earnhardt, seconded by Holst that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) That the purchase of a 2016 Road Widener from Star Equipment, Cedar Rapids, Iowa in the amount of \$22,066.50 be approved. 2) That this resolution shall take effect immediately.

Moved by Earnhardt, seconded by Holst that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) The Scott County Board of Supervisors is empowered under authority of Sections 321.236 Sub. (8), 321.255 and 321.471 to 321.473 to prohibit the operation of vehicles or impose limitations as to weight thereof on designated highways or highway structures under their jurisdiction. 2) The County Engineer has completed or has caused to be completed the Structure Inventory and Appraisal of certain Scott County Bridges, in accordance with the National Bridge Inspection Standards and has determined that the status of certain bridges should change. 3) The County Engineer has determined that the following Scott County Bridges are now adequate for legal loads at allowable operating limits: County Bridge Number; FHWA Number; Feature Crossed; Location; Previous Load Limit; Load Limit Now, 3D Hickory Grove; 302471; Tributary to Mud Creek; 79-02-03; 11,16,16; Legal, 20 Sheridan; 302681; Hickory Creek; 79-03-20; 23,35,35; Legal. 4) The County Engineer has determined that the following Scott County Bridges are inadequate for two-lane legal loads at allowable operating stress: County Bridge Number; FHWA Number; Feature Crossed; Location; Load Limit, 6B Liberty; 303070; Tributary to Rock Creek; 80-01-06; 21,31,40,7 Princeton; 302910; Lost Creek; 79-05-07; 20,23,23, 33B Allens Grove; 303380; Tributary to Mud Creek; 80-02-33; 14,21,21; 27H LeClaire; 302990; McCarty Creek; 79-05-27; 22,30,30. 5) That vehicle and load limits are established and that signs be erected advising of the permissible maximum weights on the bridges listed. 6) That vehicle, load limits and signs be removed advising of permissible maximum weights on the bridges listed. 7) This resolution shall take effect immediately.

Moved by Earnhardt, seconded by Sunderbruch the first of two readings of an ordinance 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. Roll Call: All Ayes.

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 Agricultural-General (A-G), to Single-Family Residential (R-1) to-wit:

Part of the Northwest Quarter of the Northeast Quarter of Section 27, Township 79 North, Range 5 East of the 5th Principal Meridian, more particularly described as follows:

Commencing at the Southeast corner of the Northwest Quarter of the Northeast Quarter of said Section 27 then West 520 feet to the Centerline of County Road 277th Avenue, thence NNW along said centerline 350 feet to the Point of Beginning, thence WSW, perpendicular to said Centerline, 275 feet, thence NNW parallel to said Centerline 250 feet, thence ENE, perpendicular to said centerline, 275 feet, thence SSE along said Centerline 250 feet to the Point of Beginning. The above described Tract contains 1.57 acres, more or less.

Section 2. This ordinance changing the above described land to Single-Family Residential (R-1) 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.

Moved by Earnhardt, seconded by Sunderbruch the first of two readings of an ordinance to rezone 350 acres, more or less, from Agricultural-Preservation (A-P) to Agricultural-General (A-G), described as Part of the NW¼SW¼ and SW¼SW¼ of Section 11 and SW¼ of Section 10, and the SE¼NE¼ and SW¼NE¼ of Section 10 and part of NW¼NE¼ of Princeton Township. Roll Call: Hancock, Earnhardt, Sunderbruch voted Aye, while Holst and Kinzer voted Nay.

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 Agricultural-Preservation (A-P) to Agricultural-General (A-G) to-wit:

Part of the West Half of Section 10 and the West Half of the Southwest Quarter of Section 11, Township 79 North, Range 5 East of the 5th Principal Meridian, more particularly described as follows:

The West Thirty Acres of the Northwest Quarter of the Northeast Quarter, the South Half of the Northeast Quarter, and the Southeast Quarter all in Section 10 and the West Half of the Southwest Quarter in Section 11, Township 79 North, Range 5 East of the 5th Principal Meridian. The above described Tract contains 350 acres, more or less.

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.

Moved by Kinzer, seconded by Holst that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) The hiring of Katie Glenn for the position of part-time Clerk II in the Recorder's Office at the entry level rate. 2) The hiring of Bridget Hillyer for the position of Truck Driver/Laborer in the Secondary Roads Department at the entry level rate.

Moved by Sunderbruch, seconded by Kinzer that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) That the bids for six 2017 Ford Police Interceptors, Utility, AWD to be used as patrol vehicles for the Sheriff's Office are approved and hereby awarded to Reynolds Ford, Moline, Illinois in the amount of \$166,548.84. 2) That the bids for one set of service manuals with wiring diagrams for 2017 Ford Police Interceptor, Utility, AWD to be used by Fleet Services to perform maintenance are approved and hereby

awarded to Reynolds Ford, Moline, Illinois, in the amount of \$354.00. 3) This resolution shall take effect immediately.

Moved by Sunderbruch, seconded by Earnhardt that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) The renewal agreement of one-year increments beginning January 1, 2018 of the maintenance and support terms, which automatically renews on an annual basis at then-current rates and may be terminated with at least ninety days' notice, for New World ERP software is hereby approved. 2) The County Administrator is hereby authorized to sign the contract document on the behalf of the Board of Supervisors. 3) This resolution shall take effect immediately.

Moved by Sunderbruch, seconded by Holst that the following resolution be approved. Roll Call: All Ayes.

BE IT RESOLVED: 1) The Scott County Board of Supervisors approves for payment all warrants numbered 280007 through 280258 as submitted and prepared for payment by the County Auditor, in the total amount of \$1,714,825.66. 2) This resolution shall take effect immediately.

Moved by Earnhardt, seconded by Kinzer a motion to adjourn. All Ayes.

Jim Hancock, Chair of the Board
Scott County Board of Supervisors

ATTEST: Roxanna Moritz
Scott County Auditor

Scott County Board of Supervisors
November 29, 2016 8:00 a.m.

The Board of Supervisors met as a committee of the whole and pursuant to adjournment with Earnhardt, Kinzer, Sunderbruch, Holst and Hancock present.

Moved by Earnhardt, seconded by Kinzer at 8:40 a.m. a motion to adjourn. All Ayes.

Jim Hancock, Chair of the Board
Scott County Board of Supervisors

ATTEST: Roxanna Moritz
Scott County Auditor

The Board of Supervisors met pursuant to adjournment with Earnhardt, Kinzer, Sunderbruch, Holst and Hancock present. The Board recited the pledge of allegiance.

Moved by Sunderbruch, seconded by Earnhardt approval of the minutes of the November 17, 2016 Regular Board Meeting and the minutes of the November 29, 2016 Committee of the Whole Meeting. All Ayes.

Moved by Earnhardt, seconded by Sunderbruch the second and final reading of an ordinance 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. Roll Call: All Ayes.

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 Agricultural-General (A-G), to Single-Family Residential (R-1) to-wit:

Part of the Northwest Quarter of the Northeast Quarter of Section 27, Township 79 North, Range 5 East of the 5th Principal Meridian, more particularly described as follows:

Commencing at the Southeast corner of the Northwest Quarter of the Northeast Quarter of said Section 27 then West 520 feet to the Centerline of County Road 277th Avenue, thence NNW along said centerline 350 feet to the Point of Beginning, thence WSW, perpendicular to said Centerline, 275 feet, thence NNW parallel to said Centerline 250 feet, thence ENE, perpendicular to said centerline, 275 feet, thence SSE along said Centerline 250 feet to the Point of Beginning. The above described Tract contains 1.57 acres, more or less.

Section 2. This ordinance changing the above described land to Single-Family Residential (R-1) 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.

Moved by Earnhardt, seconded by Sunderbruch the second and final reading of an ordinance to rezone 350 acres, more or less, from Agricultural-Preservation (A-P) to Agricultural-General (A-G), described as Part of the NW $\frac{1}{4}$ SW $\frac{1}{4}$ and SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 11 and SW $\frac{1}{4}$ of Section 10, and the SE $\frac{1}{4}$ NE $\frac{1}{4}$ and SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 10 and part of NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Princeton Township. Roll Call: Hancock, Earnhardt, Sunderbruch voted Aye, while Holst and Kinzer voted Nay.

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 Agricultural-Preservation (A-P) to Agricultural-General (A-G) to-wit:

Part of the West Half of Section 10 and the West Half of the Southwest Quarter of Section 11, Township 79 North, Range 5 East of the 5th Principal Meridian, more particularly described as follows:

The West Thirty Acres of the Northwest Quarter of the Northeast Quarter, the South Half of the Northeast Quarter, and the Southeast Quarter all in Section 10 and the West Half of the Southwest Quarter in Section 11, Township 79 North, Range 5 East of the 5th Principal Meridian. The above described Tract contains 350 acres, more or less.

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.

Moved by Earnhardt, seconded by Holst that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) That the purchase of furniture from Allsteel for the Juvenile Detention Expansion Project in the amount of \$30,091.21 is hereby approved. 2) That the purchase of furniture from Allsteel for the Planning and Development Relocation Project in the amount of \$22,160.62 is hereby approved. 3) That the purchase of furniture from Allsteel for the Sheriff Patrol Headquarters Project in the amount of \$65,590.81 is hereby approved. 4) This resolution shall take effect immediately.

Moved by Earnhardt, seconded by Kinzer that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) Change Order #6 in the amount of \$23,940.89 is hereby approved. 2) That the Director of Facility & Support Services is authorized to sign Courthouse Phase 3 & 4 Change Order #6. 3) This resolution shall take effect immediately.

Moved by Earnhardt, seconded by Holst that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) That the bid for the Planning and Development Relocation and the Juvenile Detention Expansion Project construction is accepted and the contract is awarded to Precision Builders in the amount of \$342,000.00. 2) That the Director of Facility & Support Services is hereby authorized to execute contract documents on behalf of the Scott County Board of Supervisors. 3) This resolution shall take effect immediately.

Moved by Kinzer, seconded by Sunderbruch that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) Authorizing the County Attorney to settle the claim filed by Cecilia Yuhr in the amount of twenty thousand dollars (\$20,000) and authorizing the Risk Manager to complete the necessary paperwork to resolve the claim. 2) This resolution shall take effect immediately.

Moved by Sunderbruch, seconded by Kinzer that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) A total of 32 applications covering 3981.64 acres were received in the Davenport City Assessor's office. All applications meet the eligibility requirements of Iowa Code Section 425A and are recommended for approval by the Davenport City Assessor's office. 2) A total of 533 applications covering 106,775.75 acres were received in the Scott County Assessor's office. 528 applications are recommended for approval, covering 106,471.58. The following 5 applications covering 304.17 acres are recommended for disallowance by the Scott County Assessor's office due to various reasons:

2016 Disallowed Family Farm Credits (County Assessor):

Names, Address; Parcel(S); City/Township; Acres; Reason, 1) Shira Black and Joshua Tannenbaum, 3315 Mount Joy Avenue, Bettendorf, Iowa 52722; 943401103; Bettendorf City; 18.50; Property changed class from Agricultural to Residential, 2) Larry and Joyce Erling, 19450 300th Street, Long Grove, Iowa 52756; 040851004; Butler Twp; 12.24; Property changed class from Agricultural to Residential, 3) Hy-Seen Farm, 2775 260th Street, Stockton, Iowa 52769; 910405001; Cleona Twp; 19.60; 910407002; Cleona Twp; 0.84; 910407003; Cleona Twp; 38.09; 910421001; Cleona Twp; 20.00; 910423001; Cleona Twp; 40.00; 013349003; Liberty Twp; 18.50; 013351001; Liberty Twp; 39.40; 013353001; Liberty Twp; 39.40; 013355002; Liberty Twp; 21.00; 013449003; Liberty Twp; 23.22; Total: 260.05; Property split and transferred Ownership to Joyce Van Den Berghe, Cameron J and Susan Pewe, Loren L Paper, Nyle E Paper, William Bartscher and Riverstone Group Inc, 4) Terry R Ralfs, 21358 Maysville Road, Walcott, Iowa 52773; 922637003; Hickory Grove Twp; 4.42; Property changed class from Agricultural to Residential, Transferred ownership to Shawn P and Jennifer L Mcdermott, 5) William F Schurr Trust, Lois A Schurr Trust, 700 Wells Fargo Trail, LeClaire, Iowa 52753; 953437006; LeClaire City; 7.01; 9534533—071; 1.95; Total: 8.96; Transferred ownership to Legacy Development of the Quad Cities LLC, Parcels no longer meet the 10 acre minimum unless you own adjoining or adjacent Agricultural ground. Total Acres: 304.17. 3) This resolution shall take effect immediately.

Moved by Sunderbruch, seconded by Earnhardt that the following resolution be approved. Roll Call: All Ayes.

BE IT RESOLVED: 1) A budget amendment to the current FY17 County Budget as presented by the County Administrator is hereby approved as follows: The vehicle maintenance accounts for all general fund operating departments will be reallocated to the non-departmental operating department. Net costs by state service areas will not be amended up or down. The amounts reallocated between departments will be determined after the expenditures incurred through 11/30/16 have been recorded within the general ledger. Any expenditures will retain compensating budget authority for maintenance incurred and departmental car washes and detailing. 2) This resolution shall take effect immediately.

Moved by Sunderbruch, seconded by Kinzer a motion approving a new beer/liquor license for Casey's General Store #3523. All Ayes.

Moved by Sunderbruch, seconded by Earnhardt that the following resolution be approved. Roll Call: All Ayes.

BE IT RESOLVED: 1) The Scott County Board of Supervisors approves for payment all warrants numbered 280274 through 280522 as submitted and prepared for payment by the County Auditor, in the total amount of \$973,593.28. 2) The Board of Supervisors approves for payment to Wells Fargo Bank all purchase card program transactions as submitted to the County Auditor for review in the amount of \$73,299.21. 3) This resolution shall take effect immediately.

Moved by Earnhardt, seconded by Kinzer a motion to adjourn. All Ayes.

Jim Hancock, Chair of the Board
Scott County Board of Supervisors

ATTEST: Roxanna Moritz
Scott County Auditor

Scott County Board of Supervisors
December 13, 2016 8:00 a.m.

The Board of Supervisors met as a committee of the whole and pursuant to adjournment with Kinzer, Sunderbruch, Holst, Hancock and Earnhardt present.

Moved by Earnhardt, seconded by Kinzer at 10:05 a.m. a motion to adjourn. All Ayes.

Jim Hancock, Chair of the Board
Scott County Board of Supervisors

ATTEST: Roxanna Moritz
Scott County Auditor

The Board of Supervisors met pursuant to adjournment with Sunderbruch, Holst, Hancock and Earnhardt present. Supervisor Kinzer was absent. The Board recited the pledge of allegiance.

Moved by Sunderbruch, seconded by Earnhardt approval of the minutes of the December 1, 2016 Regular Board Meeting and the minutes of the December 13, 2016 Committee of the Whole Meeting. All Ayes.

Moved by Hancock, seconded by Earnhardt a motion to open a public hearing relative to an application for a state construction permit for the expansion of an existing confined animal feeding operation for Grandview Farms. All Ayes.

Ben Dittmer, 12655 240th Street, Eldridge, employee of Grandview Farms and son of applicant, told the Board of the plans to expand the operation and add 3,000 sows to the site so the team of farmers can grow and that they are co-owners of a packing company that will be producing more. He also told the Board they plan to employ eight more people on site.

Tom Dittmer, applicant, described to the Board the product they use to help reduce odor.

Moved by Hancock, seconded by Earnhardt a motion to close the public hearing. All Ayes.

Moved by Earnhardt, seconded by Holst that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) That said Board of Supervisors does hereby recognize the retirement of Leon Baugh and conveys its appreciation for 12 years of faithful service to Scott County. 2) This resolution shall take effect immediately.

Moved by Earnhardt, seconded by Holst that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) That the Board of Supervisors wants to offer their sincere appreciation to Tom Sunderbruch for his 12 years of dedicated service to Scott County. 2) That the Board of Supervisors extends their very best wishes to Tom Sunderbruch to enjoy all his future endeavors. 3) This resolution shall take effect immediately.

Moved by Earnhardt, seconded by Holst that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) That the Board of Supervisors wants to offer their sincere appreciation to Chairman Jim Hancock for his 24 years of dedicated service to Scott

County. 2) That the Board of Supervisors extends their very best wishes to Jim Hancock to enjoy all his future endeavors. 3) This resolution shall take effect immediately.

Moved by Earnhardt, seconded by Holst that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) That the Board of Supervisors wants to offer their sincere appreciation to Sheriff Dennis Conard for his 43 years of dedicated service to the citizens of Scott County. 2) That the Board of Supervisors extends their very best wishes to Sheriff Conard to enjoy all his future endeavors. 3) This resolution shall take effect immediately.

Moved by Earnhardt, seconded by Sunderbruch that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) A public hearing date on the reclassification of a Class "B" road to a Class "C" road on a portion of 270th Street, is set for December 29, 2016 at 5:00 P.M. 2) The County Engineer is directed to publish notice of the hearing as reviewed by law and to notify all adjacent landowners and tenants of the hearing by regular mail. 3) This resolution shall take effect immediately.

Moved by Earnhardt, seconded by Sunderbruch that the following resolution be approved. Sunderbruch, Hancock and Earnhardt voted Aye, while Holst voted Nay.

BE IT RESOLVED: 1) That the bids for an alignment machine, tire changer and wheel balancer for Fleet Services are approved and hereby awarded to Premier Parts, DeWitt, Iowa in the amount of \$27,688.78. 2) This resolution shall take effect immediately.

Moved by Holst, seconded by Earnhardt that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) That the table of organization for the Health Department be increased by 1.0 FTE to allow for the addition of a 1.0 FTE grant covered Disease Intervention Specialist (total 1.0 FTE). 2) It is understood that if grant funding is not available this position will be eliminated. 3) This resolution shall take effect immediately.

Moved by Holst, seconded by Sunderbruch that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) That the Memorandum of Understanding between Dr. Barbara Harre and Scott County for Medical Examiner services is hereby approved. 2) This resolution shall take effect immediately.

Moved by Sunderbruch, seconded by Holst that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) The assessment of election costs for the Blue Grass City Special Election as detailed in the County Auditor's Office is hereby approved for the following amount: \$2,789.30. 2) This resolution shall take effect immediately.

Moved by Sunderbruch, seconded by Earnhardt that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) The purchase of Judicial Dialog maintenance and support in the amount of \$25,754.72 is hereby approved. 2) This resolution shall take effect immediately.

Moved by Sunderbruch, seconded by Holst a motion approving the filing of first quarter FY17 quarterly financial reports from various county offices. All Ayes.

Moved by Sunderbruch, seconded by Earnhardt that the following thirteen resolutions be approved. All Ayes.

BE IT RESOLVED: 1) That the appointment of Vern Harvey, Davenport, to the Beautification Foundation for a one (1) year term expiring on December 31, 2017 is hereby approved. 2) This resolution shall take effect immediately.

BE IT RESOLVED: 1) That the appointment of Dr. Ann O'Donnell, Bettendorf, to the Board of Health for a three (3) year term expiring on December 31, 2019 is hereby approved. 2) This resolution shall take effect immediately.

BE IT RESOLVED: 1) That the appointment of William Blanche, Eldridge, to the Airport Zoning Board of Adjustment for a five (5) year term expiring on December 31, 2021 is hereby approved. 2) This resolution shall take effect immediately.

BE IT RESOLVED: 1) That the appointment of John Rushton, Davenport, to the Citizen's Advisory Board of the Mental Health Institute for a one (1) year term expiring on December 31, 2017 is hereby approved. 2) This resolution shall take effect immediately.

BE IT RESOLVED: 1) That the appointments of Marty O'Boyle, Eldridge, and Mahesh Sharma, Bettendorf, to the MEDIC EMS Board for one (1) year terms expiring on December 31, 2017 are hereby approved. 2) This resolution shall take effect immediately.

BE IT RESOLVED: 1) That the appointment of Tim Huey, Davenport, to the Quad City Riverfront Council for a one (1) year term expiring on December 31, 2017 is hereby approved. 2) This resolution shall take effect immediately.

BE IT RESOLVED: 1) That the appointment of Tim Huey, to the Partner for Scott County Watersheds Cabinet for a one (1) year term expiring on December 31, 2017 is hereby approved. 2) This resolution shall take effect immediately.

BE IT RESOLVED: 1) That the appointments of Lori Elam and Katie Schroeder, to the Community Action of Eastern Iowa Board for one (1) year terms expiring on December 31, 2017 are hereby approved. 2) This resolution shall take effect immediately.

BE IT RESOLVED: 1) That the appointment of Jazmin Newton-Butt to the Bi-State Regional Commission for a three (3) year term expiring on December 31, 2019 is hereby approved. 2) This resolution shall take effect immediately.

BE IT RESOLVED: 1) That the appointment of Bernie Peeters, Eldridge, to the River Bend Transit Board for a one (1) year term expiring on December 31, 2017 approved. 2) This resolution shall take effect immediately.

BE IT RESOLVED: 1) That the appointment of Carol Fennelly, Davenport, to the Conservation Board for a (5) year term expiring on December 31, 2021 is hereby approved. 2) This resolution shall take effect immediately.

BE IT RESOLVED: 1) That the appointment of Bruce Werning, Davenport, to the Building Board of Appeals for a (5) year term expiring on December 31, 2021 is hereby approved. 2) This resolution shall take effect immediately.

BE IT RESOLVED: 1) That the following appointments for two (2) year terms expiring on December 31, 2018 are hereby approved: Dr. Barb Harre, Medical Examiner, Dr. Camilla Frederick, Deputy Medical Examiner, Dr. Richard Sadler, Deputy Medical Examiner, John Vance, Investigator, Jill Foster, Investigator, Detective Mark Dinneweth, Investigator, Denny Coon, Investigator, Angie Allen, Investigator. 2) This resolution shall take effect immediately.

Moved by Sunderbruch, seconded by Holst that the following resolution be approved. Roll Call: All Ayes.

BE IT RESOLVED: 1)The Scott County Board of Supervisors approves for payment all warrants numbered 280535 through 280825 as submitted and prepared for payment by the County Auditor, in the total amount of \$2,092,269.52. 2) This resolution shall take effect immediately.

Moved by Earnhardt, seconded by Holst a motion to adjourn. All Ayes.

Jim Hancock, Chair of the Board
Scott County Board of Supervisors

ATTEST: Roxanna Moritz
Scott County Auditor

Scott County Board of Supervisors
December 27, 2016 8:00 a.m.

The Board of Supervisors met as a committee of the whole and pursuant to adjournment with Holst, Hancock, Earnhardt and Kinzer present. Supervisor Sunderbruch was absent.

Moved by Earnhardt, seconded by Kinzer at 8:15 a.m. a motion to close the meeting pursuant to Iowa Code Section 20.17(3) which exempts meetings to discuss strategies in collective bargaining from the provisions of Iowa Code Chapter 21 (Open Meetings). Roll Call: All Ayes.

Moved by Earnhardt, seconded by Kinzer at 8:30 a.m. a motion to convene in open session. Roll Call: All Ayes.

The purpose of the following closed session was to evaluate the professional competency of an individual whose appointment, hiring, performance, or discharge is being considered when necessary to prevent needless and irreparable injury to that individual's reputation and that individual requests a closed session.

Mahesh Sharma requested the closed session.

Moved by Earnhardt, seconded by Holst at 8:30 a.m. a motion to close the meeting pursuant to the provisions of Iowa Code Chapter 21.5 (1)(i) (Open Meetings). Roll Call: All Ayes.

Moved by Earnhardt, seconded by Holst at 8:53 a.m. a motion to convene in open session. Roll Call: All Ayes.

Moved by Earnhardt, seconded by Holst at 8:54 a.m. a motion to adjourn. All Ayes.

Jim Hancock, Chair of the Board
Scott County Board of Supervisors

ATTEST: Roxanna Moritz
Scott County Auditor

Scott County Board of Supervisors
December 29, 2016 5:00 p.m.

The Board of Supervisors met pursuant to adjournment with Holst, Hancock, Earnhardt and Kinzer present. Supervisor Sunderbruch was absent.

This special meeting was called for the purpose of canvassing the votes cast at the December 27, 2016 Scott County 45th Senate District Special Election.

Moved by Earnhardt, seconded by Kinzer a motion to certify the results of said election. Roll Call: All Ayes.

Moved by Earnhardt, seconded by Holst at 5:05 p.m. a motion to adjourn the special meeting. All Ayes.

Jim Hancock, Chair of the Board
Scott County Board of Supervisors

ATTEST: Roxanna Moritz
Scott County Auditor

The Board of Supervisors met pursuant to adjournment with Holst, Hancock, Earnhardt and Kinzer present. Supervisor Sunderbruch was absent. The Board recited the pledge of allegiance.

Moved by Earnhardt, seconded by Kinzer approval of the minutes of the December 15, 2016 Regular Board Meeting and the minutes of the December 27, 2016 Committee of the Whole Meeting (including Closed Sessions). All Ayes.

Gary Stevenson presented the Board with a donated framed copy of the United States Constitution to be hung in the Courthouse.

Moved by Hancock, seconded by Earnhardt a motion to open a public hearing relative to reclassification of Class "B" Road to Class "C" Road on a portion of 270th Street. All Ayes.

Jerry Kruse, 2193 290th Street, New Liberty, told the Board about his concerns over the timeline for the project.

Moved by Hancock, seconded by Earnhardt a motion to close the public hearing. All Ayes.

Moved by Earnhardt, seconded by Holst that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) Scott County desires to reclassify certain roads on the area service system in the county from Class "B" minimum maintenance to Class "A" regular maintenance on one Scott County Roads as follows: .1 miles of 220th Street - Northwest of Walcott. 2) That this resolution shall take effect immediately.

Moved by Earnhardt, seconded by Kinzer that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) That Scott County desires to classify certain roads on the area service system in the County to provide for a minimal level of maintenance and access by means of a gate or barrier. After consultation with the County Engineer, the County has the authority to specify certain roads within the County as Area Service "C" roads pursuant to Iowa Code Section 309.57 (1995) as amended by House File 419 (1996). 2) Scott County established an Ordinance to set up the procedures and policies to reclassify said roads. 3) The County has received a petition, attached to this Resolution, signed by all landowners adjoining the road, requesting that a portion of 270th Street between 10th Avenue and 20th Avenue (approximately 1 mile) be classified as an Area Service "C".

1. Blading. Blading or dragging will not be performed on a regular basis

2. Snow and Ice Removal. Snow and ice removal will not be performed on a regular basis. Sanding and salting will not be performed on a regular basis
 3. Bridges. Bridges on Area Service "C" roads may not be maintained to carry legal loads but will be posted as appropriate to advise of any load limitations.
 4. Weeds, Brush, and Trees. Mowing or spraying weeds, cutting brush and tree removal will not be performed on a regular basis. Adequate sight distances will not be maintained on a regular road.
 5. Structures. Bridges and culverts may not be maintained on a regular basis to carry legal loads. Upon failure or loss, the replacement structure will be for traffic thereon.
 6. Road Surfacing. There will be no surfacing materials applied to Area Service "C" roads.
 7. Shoulders. Shoulders will not be maintained.
 8. Crown. A crown will be maintained at owners request, so that proper drainage will occur
 9. Repairs. There will be no road repairs on a regular basis. However, the County will place dirt in the area west of the Box Culvert to build up the grade to prevent further erosion. The grade will be filled to within 2' of the south side elevation. The work to fill this area may take two or three years to finish. Also, the County will regrade the west end of the road to allow proper drainage and help to prevent wet and muddy conditions.
 10. Uniform Width. The road will be final graded to the widest possible width with no shoulder or ditches but the width may not be uniform. Maintenance of the crown will determine road width.
 11. Inspections. Regular inspections will not be conducted.
 12. Gate. The gate shall be purchased and installed by the County. Minor repairs to the gate shall be done by the landowners. If gate is damaged beyond repair it shall be replaced by the County.
- 4) The only persons who will have access rights to the road shall be:
1. the owner, lessee, or person in lawful possession of any adjoining land,
 2. the agent or employee of the owner, lessee or person in lawful possession of any adjoining land,
 3. any peace officer, or emergency vehicle,
 4. any magistrate,
 5. any public employee whose duty it is to supervise the use or perform maintenance of the road,
 6. any agent or employee of any utility located upon the road.
- 5) That Scott County does hereby establish the road described as an Area Service "C" road, with restricted access and a minimal level of maintenance. 6) This resolution shall take effect immediately.

Moved by Earnhardt, seconded by Kinzer that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) Grandview Farms, Inc in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 7, T79N, R3E (Sheridan Township), and SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 12, T79N, R2E (Hickory Grove Township) has submitted an application to the Iowa Department of Natural Resources

(IDNR) for a construction permit for the expansion of an existing confined animal feeding operation at 12090 240th Street in unincorporated Scott County. 2) The Scott County Health Department and the Scott County Planning and Development Department have reviewed the construction permit application and the manure management plan and determined that both appear to be in compliance with the requirements of the Master Matrix, Iowa Code Section 459 and Iowa DNR rules. 3) The Scott County Board of Supervisors has determined that there are not any additional objects or locations not included in the application that are within the required separation distances, the soils and hydrology of the site appear to be suitable for the proposed expansion, and the applicant has adequate land for the application of manure originating from this confinement feeding operation available. 4) The Scott County Board of Supervisors published public notice of the receipt of said application, accepted written and electronic comments on the application and held a public hearing on December 15, 2016 during its regularly scheduled meeting to receive public comments on the application. 5) The Scott County Board of Supervisors will submit to the Iowa DNR the written reports it received from the Scott County Planning and Development and Health Departments on which its determination is based, and the documentation of publication of the required public notices. The Board will also submit all the written or electronic comments from the general public it received on this application. 6) The Scott County Board of Supervisors would recommend that the construction permit application of Grandview Farms be approved based on its compliance with the requirements of the Master Matrix, Iowa DNR rules and Iowa Code regulations for such applications. 7) This resolution shall take effect immediately.

Moved by Kinzer, seconded by Holst that the following resolution be approved.
All Ayes.

BE IT RESOLVED: 1) The hiring of Eric George for the position of Deputy Sheriff in the Sheriff's Office at the entry level rate. 2) The hiring of Judinetta Dunlap for the position of Correction Officer in the Sheriff's Office at the entry level rate. 3) The hiring of Deanna Ptak for the position of Correction Officer in the Sheriff's Office at the entry level rate. 4) The hiring of Darcy Raymie for the position of part-time Cook in the Sheriff's Office at the entry level rate.

Moved by Kinzer, seconded by Earnhardt that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) That the County Administrator's salary shall be increased by 5% for a salary of \$180,600/year is hereby approved. 2) The remaining terms of employment in the agreement approved May 5, 2016 are the same. 3) This resolution shall take effect immediately

Moved by Kinzer, seconded by Holst that the following resolution be approved.
All Ayes.

BE IT RESOLVED: 1) That the terms of the agreement reached between representatives of Scott County and the Public Professional & Maintenance Employees Local 2003 is hereby approved. That the agreement shall be in effect July 1, 2017 through June 30, 2019. 2) That the terms of the agreement reached between representatives of Scott County and the American Federation of State, County and Municipal Employees, Local 606 is hereby approved. That the agreement shall be in effect July 1, 2017 through June 30, 2019. 3) This resolution shall take effect immediately.

Moved by Holst, seconded by Earnhardt that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) That the Urban County Coalition 2017 Legislative Issues and Priorities are hereby approved. 2) This resolution shall take effect immediately.

Moved by Holst, seconded by Kinzer a motion approving a beer/liquor license renewal for Express Lane Gas & Food Mart #79 and a cigarette/tobacco permit for Locust Mart. All Ayes.

Moved by Holst, seconded by Earnhardt that the following resolution be approved. Roll Call: All Ayes.

BE IT RESOLVED: 1) The Scott County Board of Supervisors approves for payment all warrants numbered 280841 through 281093 as submitted and prepared for payment by the County Auditor, in the total amount of \$1,728,592.19. 2) The Board of Supervisors approves for payment to Wells Fargo Bank all purchase card program transactions as submitted to the County Auditor for review in the amount of \$81,769.63. 3) This resolution shall take effect immediately.

Moved by Earnhardt, seconded by Kinzer a motion to adjourn. All Ayes.

Jim Hancock, Chair of the Board
Scott County Board of Supervisors

ATTEST: Roxanna Moritz
Scott County Auditor