

**PLANNING & DEVELOPMENT**

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Timothy Huey  
Director

To: Mary Thee, Assistant County Administrator

From: Timothy Huey, Planning Director

Date: September 15, 2014

Re: **Discussion of the first of two readings of an ordinance to rezone approximately 240 acres from Ag Preservation (A-P) to Ag General (A-G). The property is located in part of Sections 5 in LeClaire and Pleasant Valley Townships.**

The Board of Supervisors held a public hearing on this rezoning application and a request to amend the Future Land Use Map to a residential designation for this area at its regular meeting on September 11<sup>th</sup>. The Planning Commission recommended denial of this request with a split vote (4-3), based on its lack of compliance with a preponderance of the criteria of the Revised Land-Use Policies and because the property should be annexed in to the City of LeClaire prior to its development. Because a rezoning must be approved as an ordinance amendment and requires two subsequent readings after the public hearing and an amendment to amend the Future Land Use Map is approved by resolution, I have only put the first reading of the ordinance amendment on the agenda. If it is denied, any consideration of the amendment of the Future Land Use Map would be moot. If the first reading is approved I will have both the second reading of the ordinance amendment and the resolution approving the Future Land Use Map amendment on the next agenda for the Board's consideration.

SCOTT COUNTY ORDINANCE NO. 14 - \_\_\_\_\_

AN ORDINANCE TO AMEND THE SCOTT COUNTY OFFICIAL ZONING MAP BY REZONING APPROXIMATELY 240 ACRES (MORE PARTICULARLY DESCRIBED AS PART OF THE W $\frac{1}{2}$  OF THE NE $\frac{1}{4}$  OF SECTION 5 IN LECLAIRE TOWNSHIP; PART OF THE NW $\frac{1}{4}$ , AND PART OF THE N $\frac{1}{2}$  N $\frac{1}{2}$  OF THE SW $\frac{1}{4}$  OF SECTION 5 IN PLEASANT VALLEY TOWNSHIP, ALL LYING SOUTH OF INTERSTATE 80 AND NORTH OF 195<sup>TH</sup> STREET/FOREST GROVE ROAD) FROM "A-P" AGRICULTURAL PRESERVATION DISTRICT TO "A-G" AGRICULTURAL GENERAL DISTRICT IN UNINCORPORATED SCOTT COUNTY.

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

**Section 1.** In accordance with Section 6-31 Scott County Code, the 240 acre parcel more or less legally described as Part of the W $\frac{1}{2}$  of the NE $\frac{1}{4}$  of Section 5 in LeClaire Township; Part of the NW $\frac{1}{4}$ , and Part of the N $\frac{1}{2}$  N $\frac{1}{2}$  of the SW $\frac{1}{4}$  of Section 5 in Pleasant Valley Township, all lying south of interstate 80 and north of 195<sup>th</sup> Street/Forest Grove Road, is hereby rezoned from "A-P" Agricultural Preservation District to "A-G" Agricultural General District.

**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 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 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.

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 2014

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Larry Minard, Chairman  
Scott County Board of Supervisors

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Roxanna Moritz, Scott County Auditor