

PLAN AND ZONING COMMISSION MEETING

CITY OF DAVENPORT, IOWA

Tuesday, September 16, 2025; 5:00 PM

City Hall | 226 West 4th Street | Council Chambers

- I. Roll Call
- II. Report of the City Council Activity
- III. Secretary's Report
 - 1. Consideration of the September 2, 2025 meeting minutes.
- IV. Report of the Comprehensive Plan Committee
- V. Zoning Activity
 - A. Old Business
 - B. New Business
 - 1. Case ORD25-02: Request of The City of Davenport to amend Title 17 of the Davenport Municipal Code regarding Solar Farms as a principal use and freestanding Solar Panels as an accessory use. [All Wards]
- VI. Subdivision Activity
 - A. Old Business
 - B. New Business
- VII. Future Business
- VIII. Communications
- IX. Other Business
- X. Adjourn

City of Davenport

Department: Development & Neighborhood Services

Contact Info: Matt Werderitch | 563-888-2221

Action / Date

9/16/2025

Subject:

Consideration of the September 2, 2025 meeting minutes.

Recommendation:

Approve the Minutes.

Background:

The September 2, 2025 meeting minutes are attached.

Attachments:

1. Meeting Minutes 9-2-25

MINUTES
PLAN AND ZONING COMMISSION MEETING
CITY OF DAVENPORT, IOWA
TUESDAY, SEPTEMBER 2, 2025; 5:00 PM
CITY HALL | 226 WEST 4TH STREET | COUNCIL CHAMBERS

COMBINED PUBLIC HEARING AND REGULAR MEETING AGENDAS

PUBLIC HEARING AGENDA

I. Roll Call

Present: Dunlop, Eikleberry, Johnson, Tallman, Inghram, Maness, Garrington, Schilling, Thomas, Schneider

Excused: Hepner

Staff: Berkley, Reu, Werderitch

II. New Business

- A. Case ORD25-02: Request of The City of Davenport to amend Title 17 of the Davenport Municipal Code regarding Solar Farms as a principal use and freestanding Solar Panels as an accessory use. [All Wards]

Staff summarized a moratorium passed by City Council on solar farms and accessory freestanding solar panels. The purpose is to provide city staff additional time to evaluate current regulations and propose revisions where necessary. Staff presented a proposed amendment, which offers a more comprehensive approach to regulating solar systems.

Commissioners raised the following concerns: environmental impacts, process and responsibility for decommissioning solar farms, regulation of batteries associated with solar energy, providing public education for homeowners, enforcement of codes, and the possibility of regulating the visual impacts of accessory solar panels.

A member of the public, William Pamperin, spoke in favor of an ordinance amendment. He discussed the visual impacts of solar panels, particularly freestanding units on residential lots.

With no additional comments, the public hearing closed.

REGULAR MEETING AGENDA

I. Roll Call

Present: Dunlop, Eikleberry, Johnson, Tallman, Inghram, Maness, Garrington, Schilling, Thomas, Schneider

Excused: Hepner
Staff: Berkely, Reu, Werderitch

II. Report of the City Council Activity

Staff provided an update of the City Council activity.

III. Secretary's Report

A. Consideration of the August 19, 2025 meeting minutes.

Motion by Tallman, second by Johnson, to approve the August 19, 2025 meeting minutes. Motion to approve was unanimous by voice vote (9-0).

IV. Report of the Comprehensive Plan Committee

V. Zoning Activity

A. Old Business

B. New Business

VI. Subdivision Activity

A. Old Business

B. New Business

1. Case F25-11: Request of Birchwood South LLC for a Final Plat of Birchwood South 4th Addition. The 2-lot subdivision is located at 4551 East 52nd Street, on 3.93 acres. [Ward 6]

Staff presented an overview of the subdivision. The subject property consists of Lot 7 within the Birchwood South Second Addition. The undeveloped parcel is bounded by Lakeview Parkway, East 52nd Street, and Ravenwood Lane. The proposed subdivision is intended to support the development of the western portion of the property for a new commercial and office tenant, while the eastern half will be reserved for future development.

Staff recommended the Plan and Zoning Commission accept the listed findings and forward Case F25-11 to the City Council with a recommendation for approval subject to the listed conditions:

Findings:

1. The final plat conforms to the comprehensive plan Davenport +2035.
2. The final plat prepares the area for future development.
3. The final plat (with conditions recommended by City Staff) will achieve consistency with subdivision requirements.

Conditions:

1. That the surveyor signs the plat.
2. That the utility providers sign the plat when their easement needs have been met.
3. The Sign Easement shall be revised to be located outside the Utility Easement.

Chris Townsend, representative of the applicant, was in attendance to answer questions.

Motion by Eikleberry, second by Manesss, to approve staff recommendation and conditions in Case F25-11. Motion to approve was unanimous by a roll call vote (9-0).

2. Case F25-12: Request of Baltic Property Holdings LLC for a Final Plat of Baltic Property. The 4-lot subdivision is located on 118th Avenue (Parcel 720123001). The 21.65-acre tract of land is in unincorporated Scott County. [Adjacent to Ward 1]

Staff provided a summary of the request. The subject property abuts Davenport's Municipal Limits, which is the right-of-way boundary of 118th Avenue. According to Section 16.08.020 of the Municipal Code, the City has the authority to review subdivisions within two miles of its boundary. This subdivision requires approval from both Scott County and the City. Following review by the City of Davenport, the County Board of Supervisors will make a final vote. It is staff's opinion that the plat would not have adverse effects on the City of Davenport.

Staff recommended the Plan and Zoning Commission accept the listed findings and forward Case F25-12 to the City Council with a recommendation for approval subject to the listed conditions:

Findings:

1. The location of the development is outside the urban service area.
2. The final plat prepares the area for future development.
3. The final plat will achieve consistency with subdivision requirements.

Brian Boelk, Axiom Consultants, was in attendance to answer questions. Scott County rezoned the subject property to a commercial zoning designation to facilitate the development of the site.

Commissioners inquired about compliance with Scott County's Comprehensive Plan.

Motion by Eikleberry, second by Johnson, to approve staff recommendation in Case F25-12. Motion to approve was unanimous by a roll call vote (9-0).

VII. Future Business

VIII. Communications

IX. Other Business

X. Adjourn

Motion by Tallman, second by Schilling, to adjourn the meeting. Motion to adjourn was unanimous by voice vote (9-0).

The meeting adjourned at 5:57 pm.

City of Davenport

Department: Development & Neighborhood Services
Contact Info: Matthew Reu | 563-888-2221

Action / Date
9/16/2025

Subject:

Case ORD25-02: Request of The City of Davenport to amend Title 17 of the Davenport Municipal Code regarding Solar Farms as a principal use and freestanding Solar Panels as an accessory use. [All Wards]

Recommendation:

Hold further discussion. Staff recommend tabling to allow additional time to make revisions based on feedback received.

A formal staff recommendation will be provided at the September 30, 2025 Plan and Zoning Commission meeting.

Background:

On May 7th, 2025, Resolution No. 2025-197 placed a moratorium on solar farms and accessory freestanding solar to provide time for staff to evaluate current regulations and propose revisions where necessary. The moratorium was spurred by a non-conforming accessory freestanding solar system installed in a resident's front yard. Additionally, staff asked for the moratorium after fielding questions about large-scale solar farms and recent Iowa State legislative hearings about solar farms. The proposed amendment brings code to meet solar industry terms and prepare a more compressive approach to regulating solar systems.

Staff have researched and drafted proposed amendment to Title 17 ordinance. The presented materials are a draft and are meant to start conversation. These proposed amendments are not the final ordinance to be adopted.

Current Zoning Ordinance Use Definition:

An energy system operated by a public, private, or cooperative company for the generation, transmission, distribution, storage, or processing of solar energy for the purposes of heating and cooling, electricity generation, and/or water heating.

Current Use Matrix (Table 17.08-1):

The current principal use "Solar Farms" is permitted in the following zoning districts:

1. C-OP Commercial Office Park District
2. I-1 Light Industrial District
3. I-2 Heavy Industrial District
4. IC – Institutional Campus District

The current principal use "Solar Farms" is permitted by Special Use in the following zoning districts:

1. AG Agricultural District

Solar Farms Principal Use Standards (Section 17.08.030.BB):

1. Systems, equipment, and structures are limited to the maximum height of the district.
2. All solar farm structures must meet the district setbacks.
3. No grid-tied photovoltaic system may be installed until evidence has been provided that the owner has been approved by the utility company to install the system.
4. The facility owner and operator must, at their sole expense, complete decommissioning of the solar farm within one year after the end of the useful life of the solar farm. The solar farm is deemed to be at the end of its useful life if it is abandoned for a period for 180 days or more. Decommissioning includes removal of all solar equipment. Decommissioning includes removal of solar arrays, structures, private roads or driveways, and foundations, and any other element constructed by facility owner or operator for the purpose of maintaining or operating the solar farm.

Current Solar Panels accessory structures and uses. (Section 17.09.030.S):

1. General requirements:
 - a. A solar panel may be building-mounted or freestanding
 - b. Solar panels must be placed so that concentrated solar radiation or glare is not directed onto nearby properties or roadways.
2. Building-mounted systems:
 - a. A building-mounted system may be mounted on the roof or wall of a principal building or accessory structure.
 - b. On pitched roof buildings, the maximum height of a roof-mounted solar panel may rise is 18 inches.
 - c. On flat roofed buildings up to 40 feet in height, the roof-mounted solar panel system is limited to a maximum height of six feet above the surface of the roof. On flat roofed buildings over 40 feet in height, the roof-mounted solar panel system is limited to 15 feet above the height of such structure. Roof-mounted solar energy systems are excluded from the calculation of building height.
 - d. Wall-mounted solar panels may project up to 2.5 feet from a building facade and must be integrated into the structure as an architectural feature.
3. Freestanding systems:
 - a. A freestanding system is allowed in all yards. In the front or corner side yard, the system but must be six feet from any lot line.
 - b. The maximum height of a freestanding system is 10 feet, except in the front or corner side yard where it is limited to four feet.
4. Co-location. Solar panels may be co-located on structures such as wireless communication towers and light poles

Approval Standards for Text Amendments

1. The consistency of the proposed amendment with the Comprehensive Plan and any

adopted land use policies.

2. The extent to which the proposed amendment promotes the public health, safety, and welfare of the City.
3. The consistency of the proposed amendment with the intent and general regulations of this Ordinance.
4. Whether the proposed amendment corrects an error or omission, adds clarification to existing requirements, or reflects a change in policy or change in development trends or technology.
5. The extent to which the proposed amendment creates nonconformities.

Public Input:

A Notice of Public Hearing was published in the Quad City Times informing the community of the September 2, 2025 Plan and Zoning Commission Public Hearing. To date, staff have not received any public comments in favor or opposition to the request. Staff will apprise the Commission of any correspondence at the September 16, 2025 Plan and Zoning Commission Public Hearing.

Attachments:

1. Current & Proposed Ordinance Amendment - Side by Side
2. Solar Farm - Draft Strikethrough Version
3. Current Zoning Ordinance
4. Memo to Council - Solar Moratorium
5. Action 2025-197 - Resolution approving moratorium on solar farms and freestanding solar panels
6. Public Comment-Iowa Solar

Comparison of Current and Proposed Ordinance Amendment: Solar

Current Solar Code	Proposed Solar Code
17.02.030 Definition of General Terms Not listed 17.08.050 Use Definitions Solar Farm An energy system operated by a public, private, or cooperative company for the generation, transmission, distribution, storage, or processing of solar energy for the purposes of heating and cooling, electricity generation, and/or water heating. 17.09.030 Principal Use Standard Solar Farm 1. Systems, equipment, and structures are limited to the maximum height of the district. 2. All solar farm structures must meet the district setbacks. 3. No grid-tied photovoltaic system may be installed until evidence has been provided that the owner has been approved by the utility company to install the system. 4. The facility owner and operator must, at their sole expense, complete decommissioning of the solar farm within one year after the end of the useful life of the solar farm. The solar farm is deemed to be at the end of its useful life if it is abandoned for a period for 180 days or more. Decommissioning includes removal of all solar equipment. Decommissioning includes removal of solar arrays, structures, private roads or driveways, and foundations, and any other element constructed by facility owner or operator for the purpose of maintaining or operating the solar farm.	17.02.030 Definition of General Terms Solar Energy System (SES) An aggregation of devices and structures designed to collect, store, and distribute solar energy for electricity generation, heating, cooling, or other uses. 17.08.050 Use Definitions Solar - Agrivoltaics: A SES co-located with agricultural activities, such as but not limited to crop production, livestock grazing, or apiaries. Solar - Community-Scale Solar Energy System (Community-scale SES): A shared SES sized up to 10 acres for one or more participants that invest in or subscribe to a portion of the system's output, allowing them to benefit from solar energy without installing panels on their own property. May be BIPV, free-standing, or FPV. Maybe co-located with existing principal use. Solar - Utility-Scale Solar Energy System (Utility-Scale SES): A large SES with a footprint exceeding 10 acres of free-standing SES intended to supply power to the grid for use off-site. 17.09.030 Principal Use Standard 1. General regulations for SES: a. All SES and affiliated equipment and structures must follow district standards unless mentioned here. b. No grid-tied photovoltaic system may be installed until evidence has provided that the owner has been approved by the utility company to install the system. c. Shall be built with “anti-glare coating” and shown on the specifications sheet of the SES. In addition, Community-scale solar sized 5-acre or greater or U-SES shall complete a 3rd party glare study & confirmation that glare will be minimized or eliminated from adjacent properties, buildings, and residences. The study shall also investigate view sheds from residential districts to SES. SES must be screened from view of residential districts using trees, shrubs, and other perennial plants, the locations shall be derived from the 3rd party glare study. d. All components of the SES shall be maintained in good state of repair and safe condition. Damaged, deteriorated or inoperable SES components shall be repaired or replaced in 12 months. In the event of those circumstances not considered in this provision prevent repair of the SES components by 12 months, communications and presentation of rectifying steps shall be made to staff. A Site maintenance plan and Stormwater Management plan are required to include the repair and replacement of SES equipment, landscaping maintenance, and other agreements not limited to this provision shall be presented. e. 5-acre or greater SES development shall present a decommissioning plan for review and approval. Decommissioning plans shall include steps for the removal of all solar arrays, structures, foundations, private roads or driveways, and any other element constructed by facility owner or operator for the purpose of maintaining or operating the SES. The plan shall also include the restoration of soil and vegetation to original or similar to original state following the shutdown of a SES. f. This ordinance does not apply to solar panels on self-powered devices like decorative lights, pond pumps, or those in the right of way. 2. Agrivoltaics Solar Energy System The following additional standards apply to Agrivoltaics SES: a. Must maintain an agricultural operation or component thereof. If agricultural operation or component thereof ceases operation for three years, operator must present rectifying steps to staff. b. The required vegetation management and storm water management may be agricultural in nature. 3. Community-Scale Solar Energy System (Community-Scale SES) The following additional standards apply to Community-Scale SES : a. If the SES is Ground-mounted see 17.08.030(BB)(4) FPV then: SES arrays must be moored or anchored to the bed of the water body or edge. Maximum height shall be 10ft from the water basin’s base. If the panel tilts, the height shall be measured at the highest point on the panel. SES area may not exceed 50% of water body’s surface area. b. . Maybe co-located i. with any principal use in permitted districts ii. an agriculture operations in Agrivoltaics format.

[continued] Comparison of Current and Proposed Ordinance Amendment: Solar

Current Solar Code	Proposed Solar Code
17.09.030 Principal Use Standard [Repeated for continued comparison] Solar Farm 1. Systems, equipment, and structures are limited to the maximum height of the district. 2. All solar farm structures must meet the district setbacks. 3. No grid-tied photovoltaic system may be installed until evidence has been provided that the owner has been approved by the utility company to install the system. 4. The facility owner and operator must, at their sole expense, complete decommissioning of the solar farm within one year after the end of the useful life of the solar farm. The solar farm is deemed to be at the end of its useful life if it is abandoned for a period for 180 days or more. Decommissioning includes removal of all solar equipment. Decommissioning includes removal of solar arrays, structures, private roads or driveways, and foundations, and any other element constructed by facility owner or operator for the purpose of maintaining or operating the solar farm. 17.09.030 Accessory Structures and Uses S. Solar Panels. 1. General requirements. a. A solar panel may be building-mounted or freestanding. b. Solar panels must be placed so that concentrated solar radiation or glare is not directed onto nearby properties or roadways. 2. Building-mounted systems. a. A building-mounted system may be mounted on the roof or wall of a principal building or accessory structure. b. On pitched roof buildings, the maximum height a roof-mounted solar panel may rise is 18 inches. c. On flat roofed buildings up to 40 feet in height, the roof-mounted solar panel system is limited to a maximum height of six feet above the surface of the roof. On flat roofed buildings over 40 feet in height, the roof-mounted solar panel system is limited to 15 feet above the height of such structure. Roof-mounted solar energy systems are excluded from the calculation of building height. d. Wall-mounted solar panels may project up to 2.5 feet from a building facade and must be integrated into the structure as an architectural feature. 3. Freestanding systems. a. A freestanding system is allowed in all yards. In the front or corner side yard, the system but must be six feet from any lot line. b. The maximum height of a freestanding system is 10 feet, except in the front or corner side yard where it is limited to four feet. 4. Co-location. Solar panels may be co-located on structures such as wireless communication towers and light poles.	17.09.030 Principal Use Standard [continued] 4. Utility-Scale Solar Energy System (Utility-Scale SES) The following additional standards apply to U-SES: a. All U-SES shall require an approved Special Use from the Zoning Board of Adjustment to include provisions for future growth opportunities to include future right-of-ways, utilities, and other easements as established within the City Code. b. Maybe co-located with: i. Any principal use in an Industrial District. ii. Multiple agriculture operations in Agrivoltaics format. c. All accessory uses and structures shall follow accessory use standards unless mentioned here: i. BESS shall be setback 200 feet from a property line, the centerline of a stream, and be setback 500 feet from a occupied structure located on the subject property. ii. shall be enclosed in by fencing iii. Maintenance, traffic, and decommissioning plan associated solely with the BESS to include but not limited to the anticipated life of the BESS shall be presented to staff iv. Dilapidated or inoperable BESS shall be repaired or replaced in 12 months. In the event of those circumstances not considered in this provision prevent repair of the BESS by 12 months, communications and presentation of rectifying steps shall be made to staff . 17.09.030 Accessory Structures and Uses S. Accessory Solar Energy System (SES) 1. General requirements. a. A SES may be BIPV, freestanding, or FPV. b. SES Solar panels must be placed so that concentrated solar radiation or glare is not directed onto adjacent properties or roadways and that they are produced with anti-glare properties as noted in the product’s specifications. 2. Building-Integrated Photovoltaics (BIPV) a. A building-mounted system or applied on a principal building or accessory structure. b. On pitched roof buildings, the maximum height a roof-mounted solar panel may rise is 18 inches. i. On applicable structures, SES must be minimally setback from horizontal ridges by 18” and 36” from emergency exits. c. On flat roofed buildings up to 40 feet in height, the roof-mounted solar panel system is limited to a maximum height of six feet above the surface of the roof. On flat roofed buildings over 40 feet in height, the roof-mounted solar panel system is limited to 15 feet above the height of such structure. Roof-mounted solar energy systems are excluded from the calculation of building height. d. Wall-mounted solar panels may project up to 2.5 feet from a building facade and must be integrated into the structure as an architectural feature. 3. Freestanding systems. a. In residential districts, Freestanding SES are only allowed in the rear yard and must follow district and accessory structure regulations and is limited to 10 feet in height. i. Must not be larger than 50% of the principal building footprint or is considered community-scale solar. ii. Will be subject to impervious surface and building coverage standards. b. In all other districts, freestanding SES are subject to district standards. i. if the SES is equal to or larger than 50% of the building footprint, or 50% of the developed land in industrial districts, or absent of a principal use, then the freestanding SES is considered community-scale SES and subject to principal use standards 17.08.030 (BB). ii. SES are permitted over off-street parking so long as it is eight feet in clearance and follow district guidelines. iii. Will be subject to impervious surface and building coverage standards. 4. Floating Photovoltaics (FPV): a. SES arrays must be moored or anchored to the bed of the water body or edge. b. Maximum height shall be 30 ft 30ft from the water basin’s base. If the panel tilts, the height shall be measured at the highest point on the panel.

[continued] Comparison of Current and Proposed Ordinance Amendment: Solar

Current Solar Code

Proposed Solar Code

17.09.030 Accessory Structures and Uses [continued]

5. Co-location. Solar panels may be co-located on structures such as wireless communication towers and light poles.

U. Battery Energy Storage System (BESS)

Electrochemical devices that charge, or collect, energy from the grid or a generation facility, store that energy, and then discharge that energy at a later time to provide electricity or other grid services. If the BESS is over 1 MW in capacity, then it can only be an accessory to U-SES and is subject to principal use standards 17.08.030 (BB).

PRINCIPAL USE	R-1	R-2	R-3	R-4	R-MF	R-MHP	C-T	C-1	C-2	C-3	C-C	C-OP	C-D	C-V	C-E	I-1	I-2	I-MU	AG	OS	IC	USE STAND-ARD
Solar - Agri-voltaics																			P	S	S	Sec. 17.08.03 0.BB
Solar - Community-Scale	S	S	S	S	S	S	S	S	P	P	P	P	S	S	S	P	P	P	P		P	Sec. 17.08.03
Solar - Utility-Scale SES																S	S		S		S	Sec. 17.08.03

PRINCIPAL USE	R-1	R-2	R-3	R-4	R-MF	R-MHP	C-T	C-1	C-2	C-3	C-C	C-OP	C-D	C-V	C-E	I-1	I-2	I-MU	AG	OS	IC	USE STAND-ARD
Solar Farm												P				P	P		S		P	Sec. 17.08.03

CHAPTER 17.02. GENERAL DEFINITIONS AND MEASUREMENT METHODOLOGIES

Section 17.02.030 Definition of General Terms

Solar Energy System (SES). An aggregation of devices and structures designed to collect, store, and distribute solar energy for electricity generation, heating, cooling, or other uses.

CHAPTER 17.08. Uses

Section 17.08.050 Use Definitions

~~**Solar Farm.** An energy system operated by a public, private, or cooperative company for the generation, transmission, distribution, storage, or processing of solar energy for the purposes of heating and cooling, electricity generation, and/or water heating.~~

Solar - **Agrivoltaics:** A SES co-located with agricultural activities, such as but not limited to crop production, livestock grazing, or apiaries.

Solar - **Community-Scale Solar Energy System (Community-scale SES):** A shared SES sized up to 10 acres for one or more participants that invest in or subscribe to a portion of the system's output, allowing them to benefit from solar energy without installing panels on their own property. May be BIPV, free-standing, or FPV. Maybe co-located with existing principal use.

Solar - Floating Photovoltaics (FPV): An SES floating atop surface water and typically anchored to the bottom of the waterbody.

Solar - Utility-Scale Solar Energy System (Utility-Scale SES): A large SES with a footprint exceeding 10 acres of free-standing SES intended to supply power to the grid for use off-site.

PRINCIPAL USE	R-1	R-2	R-3	R-4	R-MF	R-MHP	C-T	C-1	C-2	C-3	C-C	C-OP	C-D	C-V	C-E	I-1	I-2	I-MU	AG	OS	IC	USE STANDARD
Solar-Farm												P				P	P		S		P	Sec. 17.08.030.BB
<u>Solar - Agrivoltaics</u>																			P	S	S	<u>Sec. 17.08.030.BB</u>
<u>Solar - Community-Scale SES</u>	S	S	S	S	S	S	S	S	P	P	P	P	S	S	S	P	P	P	P		P	<u>Sec. 17.08.030.BB</u>
<u>Solar - Utility-Scale SES</u>																S	S		S		S	<u>Sec. 17.08.030.BB</u>

Section 17.08.030 Principal Use Standards

BB. ~~Solar-Farm~~ Solar Energy Systems (SES)

~~1. Systems, equipment, and structures are limited to the maximum height of the district.~~

1. General regulations for SES:

a. All SES and affiliated equipment and structures must follow district standards unless mentioned here.

b. No grid-tied photovoltaic system may be installed until evidence has provided that the owner has been approved by the utility company to install the system.

c. Shall be built with "anti-glare coating" and shown on the specifications sheet of the SES. In addition, Community-scale solar sized 5-acre or greater or U-SES shall complete a 3rd party glare study & confirmation that glare will be minimized or eliminated from adjacent properties, buildings, and residences. The study shall also investigate view sheds from residential districts to SES. SES must be screened from view of residential districts using trees, shrubs, and other perennial plants, the locations shall be derived from the 3rd party glare study.

d. All components of the SES shall be maintained in good state of repair and safe condition. Damaged, deteriorated or inoperable SES components shall be repaired or replaced in 12 months. In the event of those circumstances not considered in this provision prevent repair of the SES components by 12 months, communications and presentation of rectifying steps shall be made to staff. A Site maintenance plan and Stormwater Management plan are required to include the repair and replacement of SES equipment, landscaping maintenance, and other agreements not limited to this provision shall be presented.

e. 5-acre or greater SES development shall present a decommissioning plan for review and approval. Decommissioning plans shall include steps for the removal of all solar arrays, structures, foundations, private roads or driveways, and any other element constructed by facility owner or operator for the purpose of maintaining or operating the SES. The plan shall also include the restoration of soil and vegetation to original or similar to original state following the shutdown of a SES.

f. This ordinance does not apply to solar panels on self-powered devices like decorative lights, pond pumps, or those in the right of way.

~~2. All solar farm structures must meet the district setbacks.~~

~~3. No grid-tied photovoltaic system may be installed until evidence has provided that the owner has been approved by the utility company to install the system.~~

~~4. The facility owner and operator must, at their sole expense, complete decommissioning of the solar farm within one year after~~

~~the end of the useful life of the solar farm. The solar farm is deemed to be at the end of its useful life if it is abandoned for a period for 180 days or more. Decommissioning includes removal of all solar equipment. Decommissioning includes removal of solar arrays, structures, private roads or driveways, and foundations, and any other element constructed by facility owner or operator for the purpose of maintaining or operating the solar farm.~~

2. Agrivoltaics Solar Energy System

The following additional standards apply to Agrivoltaics SES:

- a. Must maintain an agricultural operation or component thereof. If agricultural operation or component thereof ceases operation for three years, operator must present rectifying steps to staff.
- b. The required vegetation management and storm water management may be agricultural in nature.

3. Community-Scale Solar Energy System (Community-Scale SES)

The following additional standards apply to Community-Scale SES^[SEK1]:

- a. If the SES is
 - i. Ground-mounted see 17.08.030(BB)(4)
 - ii. FPV then:
 - 1. SES arrays must be moored or anchored to the bed of the water body or edge.
 - 2. Maximum height shall be 10ft from the water basin's base. If the panel tilts, the height shall be measured at the highest point on the panel.
 - 3. SES area may not exceed 50% of water body's surface area.
- b. . Maybe co-located
 - i. with any principal use in permitted districts

ii. an agriculture operations in Agrivoltaics format.

4. Utility-Scale Solar Energy System (Utility-Scale SES^[SEK2])

The following additional standards apply to U-SES:

- a. All U-SES shall require an approved Special Use from the Zoning Board of Adjustment to include provisions for future growth opportunities to include future right-of-ways, utilities, and other easements as established within the City Code.
- b. Maybe co-located with:
 - i. Any principal use in an Industrial District.
 - ii. Multiple agriculture operations in Agrivoltaics format.
- c. All accessory uses and structures shall follow accessory use standards unless mentioned here:
 - i. BESS shall be setback 200 feet from a property line, the centerline of a stream, and be setback 500 feet from a occupied structure located on the subject property.
 - ii. shall be enclosed in by fencing
 - iii. Maintenance, traffic, and decommissioning plan associated solely with the BESS to include but not limited to the anticipated life of the BESS shall be presented to staff

iv. Dilapidated or inoperable BESS shall be repaired or replaced in 12 months. In the event of those circumstances not considered in this provision prevent repair of the BESS by 12 months, communications and presentation of rectifying steps shall be made to staff^[SEK3]^[SEK4].

CHAPTER 17.09. SITE DEVELOPMENT STANDARDS

Section 17.09.030 Accessory Structures and Uses

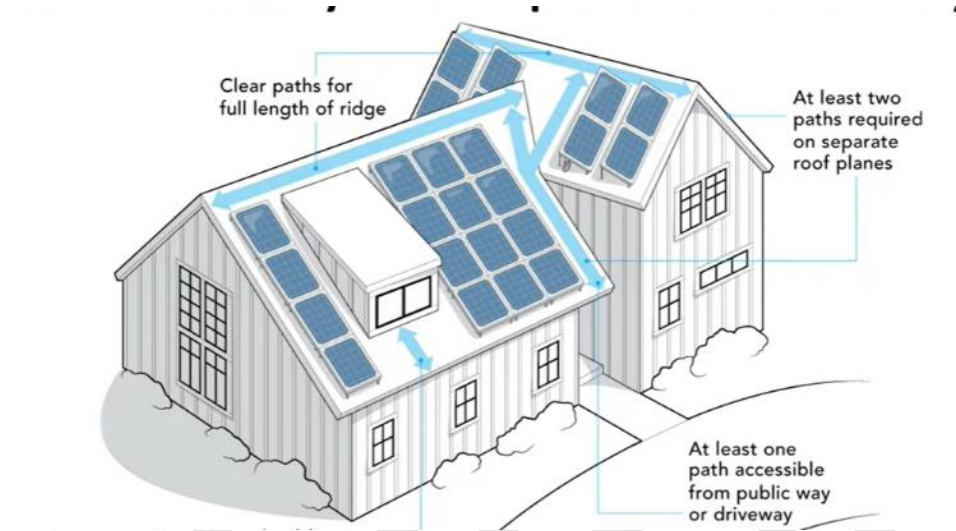
S. ~~Solar Panels~~ Accessory Solar Energy System (SES)^[SEK5]^[MR6]

1. General Requirements

- a. ~~A solar panel may be building-mounted or freestanding.~~ A SES may be BIPV, freestanding, or FPV.
- b. ~~Solar panels must be placed so that concentrated solar radiation or glare is not directed onto nearby properties or roadways.~~ SES Solar panels must be placed so that concentrated solar radiation or glare is not directed onto adjacent properties or roadways and that they are produced with anti-glare properties as noted in the product's specifications.

2. ~~Building-Mounted Systems~~ Building-Integrated Photovoltaics (BIPV)

- a. A building-mounted system may be mounted or applied on ~~the roof or wall, or of~~ a principal building or accessory structure.
- b. On pitched roof buildings, the maximum height a roof-mounted solar panel may rise is 18 inches.
 - i. On applicable structures, SES must be minimally setback from horizontal ridges by 18" and 36" from emergency exits.



c. On flat roofed buildings up to 40 feet in height, the roof-mounted solar panel system is limited to a maximum height of six feet above the surface of the roof. On flat roofed buildings over 40 feet in height, the roof-mounted solar panel system is limited to 15 feet above the height of such structure. Roof-mounted solar energy systems are excluded from the calculation of building height.

d. Wall-mounted solar panels may project up to 2.5 feet from a building façade and must be integrated into the structure as an architectural feature.

3. Freestanding **Systems** SES

a. ~~A freestanding system is allowed in all yards. In the front or corner side yard, the system but must be six feet from any lot line.~~ In residential districts, Freestanding SES are only allowed in the rear yard and must follow district and accessory structure regulations and is limited to 10 feet in height.

i. Must not be larger than 50% of the principal building footprint or is considered community-scale solar.

ii. Will be subject to impervious surface and building coverage standards.

~~b. The maximum height of a freestanding system is ten feet, except in the front or corner side yard where it is limited to four feet.~~

b. In all other districts, freestanding SES are subject to district standards.

i.. if the SES is equal to or larger than 50% of the building footprint, or 50% of the developed land in industrial districts, or absent of a principal use, then the freestanding SES is considered community-scale SES and subject to principal use standards 17.08.030 (BB).

ii. SES are permitted over off-street parking so long as it is eight feet in clearance and follow district guidelines.

iii. Will be subject to impervious surface and building coverage standards.

4. Floating Photovoltaics (FPV):

a) SES arrays must be moored or anchored to the bed of the water body or edge.

b) Maximum height shall be 30 ft 30ft from the water basin's base. If the panel tilts, the height shall be measured at the highest point on the panel.

5. Co-Location

Solar panels may be co-located on structures such as wireless communication towers and light poles.

U. Battery Energy Storage System (BESS)

Electrochemical devices that charge, or collect, energy from the grid or a generation facility, store that energy, and then discharge that energy at a later time to provide electricity or other grid services. If the BESS is over 1 MW in capacity, then it can only be an accessory to U-SES and is subject to principal use standards 17.08.030 (BB).

DRAFT

Section 17.08.030 Principal Use Standards

Where applicable, principal uses are required to comply with all use standards of this section, whether a permitted or special use, in addition to all other regulations of this Ordinance.

BB. Solar Farm

1. Systems, equipment, and structures are limited to the maximum height of the district.
2. All solar farm structures must meet the district setbacks.
3. No grid tied photovoltaic system may be installed until evidence has provided that the owner has been approved by the utility company to install the system.
4. The facility owner and operator must, at their sole expense, complete decommissioning of the solar farm within one year after the end of the useful life of the solar farm. The solar farm is deemed to be at the end of its useful life if it is abandoned for a period for 180 days or more. Decommissioning includes removal of all solar equipment. Decommissioning includes removal of solar arrays, structures, private roads or driveways, and foundations, and any other element constructed by facility owner or operator for the purpose of maintaining or operating the solar farm.

Section 17.08.050 Use Definitions

All uses within Table 17.08-1 are defined in this section. Certain uses are defined to be inclusive of many uses. When a use meets a specific definition, it is regulated as such and is not regulated as part of a more inclusive use category.

Solar Farm. An energy system operated by a public, private, or cooperative company for the generation, transmission, distribution, storage, or processing of solar energy for the purposes of heating and cooling, electricity generation, and/or water heating.

Section 17.09.030 Accessory Structures and Uses

All accessory structures and uses are subject to the requirements of this section and the permitted encroachment requirements of Section 17.09.040. Additional accessory structures not regulated in this section may be regulated in Section 17.09.040.

S. Solar Panels

1. General Requirements

- a. A solar panel may be building-mounted or freestanding.
- b. Solar panels must be placed so that concentrated solar radiation or glare is not directed onto nearby properties or roadways.

2. Building-Mounted Systems

- a. A building-mounted system may be mounted on the roof or wall of a principal building or accessory structure.
- b. On pitched roof buildings, the maximum height a roof-mounted solar panel may rise is 18 inches.
- c. On flat roofed buildings up to 40 feet in height, the roof-mounted solar panel system is limited to a maximum height of six feet above the surface of the roof. On flat roofed buildings over 40 feet in height, the roof-mounted solar panel system is limited to 15 feet above the height of such structure. Roof-

mounted solar energy systems are excluded from the calculation of building height.

d. Wall-mounted solar panels may project up to 2.5 feet from a building façade and must be integrated into the structure as an architectural feature.

3. Freestanding Systems

a. A freestanding system is allowed in all yards. In the front or corner side yard, the system but must be six feet from any lot line.

b. The maximum height of a freestanding system is ten feet, except in the front or corner side yard where it is limited to four feet.

4. Co-Location

Solar panels may be co-located on structures such as wireless communication towers and light poles.

Section 17.08-1: Use Matrix

PRINCIPAL USE	R-1	R-2	R-3	R-4	R-MF	R-MHP	C-T	C-1	C-2	C-3	C-C	C-OP	C-D	C-V	C-E	I-1	I-2	I-MU	AG	OS	IC	USE STANDARD
Solar Farm												P				P	P		S		P	Sec. 17.08.030.BB



Date: May 8, 2025

To: City Council

From: Laura Berkley, Development & Planning Administrator

Subject: Moratorium on Solar Farms and Freestanding Solar Panels

Several questions were raised at the Committee of the Whole on May 7, 2025 regarding the proposed moratorium on Solar Farms and freestanding solar panels. I would like to provide further clarification on this matter.

What is the purpose of the moratorium?

Moratoriums are a tool local government can use to pause any new actions or approvals. The City typically places moratoriums for six months to provide staff the necessary time to conduct research and present findings to both the Council and Plan & Zoning Commission for ordinance change consideration. Moratoriums provide the benefit of a clean transition of any potential code changes. It is important to clearly state the date of the end to the moratorium for both staff enforcing the moratorium and the public on when items can be submitted for review and under what codes they will be reviewed.

A similar example of the use of a moratorium within the City of Davenport occurred in late 2023 to allow staff the time to review and propose new regulations associated with billboards. Within the six-month moratorium, the City was able to successfully research and draft new code language, which was adopted in June of 2024.

What caused the request for the moratorium?

The zoning code currently allows for freestanding solar panels as an accessory to a Principal Use. This includes the ability to install the freestanding solar panels in front and corner yards. While freestanding solar panels as an accessory use are rare in the City of Davenport, a recent installation sparked citizen complaints and further discussion between staff, Administration, the Community Development Chair and Co-Chair and a request from the Plan & Zoning Chair to reassess the current code. A photo of the installation has been included in this memo. Please note: The installation was not installed as proposed in the plans and does not meet the required code for both

setbacks and maximum height. This specific violation is currently being addressed. The contractor will be installing the panels on the roof. However, several questions and concerns remain on how freestanding solar panels should be regulated moving forward.



In addition, Planning staff have received multiple requests for information on Solar Farm regulations. This is due to several recent and proposed high energy users developing within the City. Additionally, during this legislative session at the State, there was a bill to make community solar farms more feasible. The increase in interest in solar farms has sparked internal conversations on whether the current code provides the framework necessary to handle multiple large scale solar farm requests. For example, Solar Farms are currently allowed on land zoned Agriculture with a Special Use. There are no specific parameters or directions for the Zoning Board of Adjustment to determine under what circumstances Solar Farms are appropriate in this district or when to grant or deny a special use. Peer communities have regulations on what type of agricultural land can be used for solar farms.

What specifically is subject to the moratorium?

There are two components to the moratorium: Solar Farms as a principal use and freestanding solar panels as an accessory use.

Solar Farm as a principal use is: An energy system operated by a public, private, or cooperative company for the generation, transmission, distribution, storage, or processing of solar energy for the purposes of heating and cooling, electricity generation, and/or water heating.

Solar panels can also be an accessory to another use such as a home or business. The most common form of solar panels as an accessory use are building-mounted panels. This is typically a system installed on a roof. Building-mounted systems are not a part of the moratorium. The moratorium is specific to freestanding systems. This does not include solar panels located within the right-of-way. This also does not impact any existing freestanding solar.

Staff time for research and code review:

Staff will need time to research the solar industry, review state law, and conduct a peer review of solar regulations. The decision to do so is not taken lightly, and the discussion to move forward with this project was not initiated by any one member of the Council. The decision to research this topic area was made jointly by the Development & Neighborhood Services Director, the Development & Planning Administrator, and the Chair and Co-Chair of the Community Development Committee after a request from the Plan & Zoning Commission Chair. The decision was made after consultation with the City Attorney. The City Administrator had been informed of the decision before moving forward with a proposed moratorium.

City of Davenport

2025-197

Department: City Council

Action / Date

Contact Info: Alderman Reinartz and Alderman Gripp

5/14/2025

Subject:

Resolution placing a moratorium upon solar farms as a principal use and freestanding solar panels as an accessory use until November 14, 2025. [All Wards]

Recommendation:

Adopt the Resolution.

Background:

Recent inquiries into solar farms, as a principal use, and freestanding solar panels, as accessory structures, have spurred additional conversations and questions on how best to regulate solar moving forward. A six-month moratorium on new solar farms as a principal use and freestanding solar panels as an accessory use is requested in order to provide staff time to evaluate current regulations and propose any revisions if necessary.

It should be noted that building-mounted solar panels, commonly installed on roofs, are not subject to the proposed moratorium.

Attachments:

1. Resolution

Resolution No. 2025-197

Resolution offered by Alderman Gripp and Alderman Reinartz.

RESOLVED by the City Council of the City of Davenport, Iowa.

RESOLUTION placing a moratorium upon new solar farms as a principal use and freestanding solar panels as an accessory use until November 14, 2025.

WHEREAS, the City of Davenport regulates the uses, special uses, and accessory uses of its zoning districts; and

WHEREAS, recent freestanding solar panel installation and inquiries into solar farms has spurred additional conversations and questions on how to best regulate solar; and

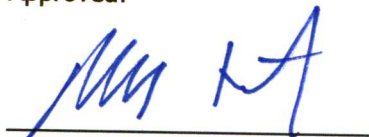
WHEREAS, the City of Davenport wishes to study best practices around the country; and

WHEREAS, this six-month period would allow time for code amendments to be vetted and proposed for adoption.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Davenport, Iowa that a moratorium is hereby imposed upon new solar farms as a principal use and freestanding solar panels as an accessory use until November 14, 2025.

Passed and approved this 14th day of May, 2025.

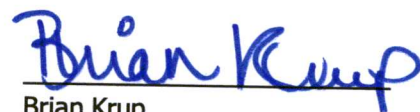
Approved:



Mike Matson
Mayor



Attest:



Brian Krup
Deputy City Clerk

Industry Comments on Proposed Solar Ordinances

My name is Ryan Kopf and I am a Davenport resident, I live on Brady Street. I am writing to you to provide comments on upcoming proposed solar power ordinances.

As both a local resident and the owner of Iowa Solar, I strongly encourage the council to adopt rules that expand, rather than restrict, the opportunities for Davenport families and businesses to access clean energy.

Free-standing solar arrays, when done responsibly, can be an important tool for homeowners who may not have ideal roof conditions, yet still desire clean energy. Limiting them to backyards only, or tying them strictly to building footprints, could make solar impossible for many residents whose homes face the wrong direction, are shaded by trees, or simply lack the roof space to support a sufficient system.

Benefits of Solar

Before we get into ordinance specifics, I would like to highlight some of the key benefits of solar power:

- Solar improves grid stability, especially during summer peaks when air conditioning drives demand. It helps reduce strain and lowers the risk of outages.
- Solar provides real savings for families, lowering monthly electric bills and protecting against utility rate hikes.
- Solar is silent and clean—it produces no noise, no smell, and no pollution. Panels generate power passively for decades with minimal maintenance, without disturbing neighbors.

Addressing Common Misconceptions

There are also some misconceptions about solar that deserve clarification:

- “Solar owners get the grid for free.” In reality, all solar customers pay a monthly service fee (around \$30 with MidAmerican) to remain connected, contributing directly to maintaining electric lines and infrastructure.
- “Solar only benefits wealthy homeowners.” In truth, distributed solar reduces strain on the grid for everyone and improves reliability during peak hours, creating community-wide benefits.
- “Solar hurts property values.” Panels are silent, emission-free, and unobtrusive. In many communities, visible solar has actually improved neighborhood appeal by signaling sustainability and forward progress.

Community-Scale Solar

Davenport also has a chance to lead in community-scale solar. Projects over parking lots, neighborhood gardens, or unused parcels of land make renewable energy accessible to renters, lower-income households, and those who cannot install solar themselves. These projects build resilience, reduce costs, and keep energy dollars circulating locally rather than leaving the community.

Recommendations for the Ordinance

- A 10-foot height limit is reasonable; there is no practical need for taller systems in residential settings. Even 9.5 ft would be reasonable.
- Comments have been made suggesting that solar should go over parking lots. Including an exception to this height limit for parking lot solar may be wise.
- Instead of restricting arrays to “backyards,” which can be difficult to define, consider a 10–20 foot setback from the street as a fairer and more flexible guideline.
- Low-to-the-ground solar systems (under 3.5 feet) are highly efficient and unobtrusive. These pair well with landscaping or gardens and can actually improve curb appeal. We recommend an exemption for these small-scale, low-profile systems. Example: Low-profile solar array - https://www.youtube.com/watch?v=MoENU_3W2Ks
- It's unreasonable to set solar array size based on the home size without also factoring in lot size. If a small home sits on a quarter-acre, there's no sense in not factoring in lot size to the requirement. Especially if people are trying to build tiny-but-fully-efficient homes. People should be allowed the right to power small homes fully with solar, and a home-size-ratio-restriction does not make that possible.

Suggested ordinance language might read:

“Residential free-standing solar arrays shall not exceed 10 feet in height, unless part of an engineered parking-covering structure. Arrays under 3.5 feet in height shall be permitted with no restrictions other than standard setback requirements. Free-standing arrays over 3.5 feet shall be permitted provided they are set back at least 10 feet from the primary street frontage.”

Economic Development

Solar is not just about sustainability—it is about jobs and investment. Every new array means local work in installation, maintenance, and supply. Restrictive rules risk pushing investment to neighboring communities, while supportive rules will allow Davenport to attract clean-energy businesses, innovation, and skilled workers.

Thank you for your consideration.

Sincerely,

Ryan
Iowa Solar
info@iowasolar.com