

PLAN AND ZONING COMMISSION MEETING

CITY OF DAVENPORT, IOWA

Tuesday, October 14, 2025; 5:00 PM

City Hall | 226 West 4th Street | Council Chambers

COMBINED PUBLIC HEARING AND REGULAR MEETING AGENDAS

PUBLIC HEARING AGENDA

- I. New Business
 - 1. CASE ORD25-03: Request of Leverage Holdings LLC to amend Table 17.08-1: Use Matrix of the City of Davenport Zoning Ordinance to allow "Wholesale Establishments" as a permitted use in the C-3 General Commercial Zoning District [All Wards].

REGULAR MEETING AGENDA

- II. Roll Call
- III. Report of the City Council Activity
- IV. Secretary's Report
 - 1. Consideration of the September 30, 2025 meeting minutes.
- V. Report of the Comprehensive Plan Committee
- VI. Zoning Activity
 - A. Old 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]
 - B. New Business
- VII. Subdivision Activity
 - A. Old Business
 - B. New Business
- VIII. Future Business
- IX. Communications

X. Other Business

XI. Adjourn

City of Davenport

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

Action / Date
10/14/2025

Subject:

CASE ORD25-03: Request of Leverage Holdings LLC to amend Table 17.08-1: Use Matrix of the City of Davenport Zoning Ordinance to allow "Wholesale Establishments" as a permitted use in the C-3 General Commercial Zoning District [All Wards].

Recommendation:

Hold the Public Hearing.

A formal staff recommendation will be provided at the November 04, 2025 Plan and Zoning Commission Meeting.

Background:

City Staff received an Application for a Zoning Text Amendment from a property owner requesting an amendment to allow "Wholesale" as a permitted use in the C-3 General Commercial Zoning District. The proposed zoning text amendment will impact all properties throughout Davenport zoned C-3 General Commercial Zoning District. The Petitioner has provided initial statements by approval standard as a supplement to the request, which can be seen in the application document. The summary provided by the applicant is below:

As indicated, the Petitioner perceives there are various reasons that a text amendment is needed to add wholesale use in the C-3 Districts, but the most blatant/obvious include, but are not limited to:

1. Current commercial market conditions have changed as less big-box buildings are being built and those that have been built now need to be retrofitted for alternative uses.
2. Wholesaling, for the most part, will lessen the intensity in these Districts, and while truck/semi-truck traffic could slightly increase, the streets and properties in the C-3 District can easily accommodate such concerns. In essence, while wholesaling is distinguishable from retail, in this stance, it's a distinction without a real difference.
3. Wholesaling is consistent with Davenport's current comprehensive plan and was previously allowed in certain C-Districts under Davenport's prior zoning code, such that to resurrect its use now leaves little to be done and allows market conditions to proceed with redevelopment.

Zoning Ordinance Purpose Statement:

The C-3 General Commercial Zoning District is intended to accommodate higher-intensity commercial development within the City of Davenport that serves both local and regional markets. The C-3 District addresses medium- and large-scale development that may generate considerable traffic and typically requires significant off-street parking. Higher density residential uses are also allowed to facilitate a mixed-use orientation where appropriate.

Zoning Ordinance Use Definition:

Wholesale Establishment. A business where goods are sold to either retailers, or to industrial, commercial, institutional, or other professional business users, or to other wholesalers and related subordinated services.

Use Matrix (Table 17.08-1)

The principal use "Wholesale Establishment" is permitted in the following zoning districts:

1. I-1 Light Industrial District
2. I-2 Heavy Industrial District

The principal use "Wholesale Establishment" is permitted as a special use in the following zoning districts:

1. I-MU Industrial Mixed Use District

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 October 14, 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 November 04, 2025 Plan and Zoning Commission Meeting.

Attachments:

1. Zoning Text Amendment Application
2. C-3 Zone Overview Map
3. Industrial Zone Overview Map



CITY OF DAVENPORT
Development & Neighborhood
Services – Planning
1200 E. 46th ST
Davenport, IA 52807

Office 563.326.6198
planning@davenportiowa.com

APPLICATION FOR

ZONING TEXT AMENDMENT

(CHANGE TO ZONING ORDINANCE LANGUAGE)

APPLICANT INFORMATION		DATES: PRE-APP	SUBMITTAL	PUBLIC HEARING
Applicant Name Company Name Leveraged Holdings LLC			09/18/2025	
Address 5167 Utica Ridge Road		ZONING CODE HEADINGS & SECTION NUMBERS IMPACTED 17.05.020; 17.08; Table 17.08-1; *See Addendum		
City State Zip Davenport IA 52807		REASON FOR ZONING CODE TEXT CHANGE Allow Wholesale Establishment as Permitted Use in C-3 Zoning District		
Phone [REDACTED]		EXISTING ZONING CODE LANGUAGE TO BE CHANGED C-3 zoning appears to restrict Wholesale Establishment		
Secondary Phone [REDACTED]				
Acceptance of Applicant I, the undersigned, certify that the information on this application to the best of my knowledge, is true and correct. I further certify that I have a legal interest in the property in question, and/or that I am legally able to represent all other persons or entities with interest in this property, and acknowledge formal procedure and submittal requirements. In addition to the application fee, I understand I am responsible for attendance at each meeting on the public hearing/zoning calendar. The City reserves the right to require further studies as necessary. Thad DenHartog Type Applicant's Name [Signature] Applicant's Signature 09/18/2025 Date		PROPOSED ZONING CODE LANGUAGE Permit within the C-3 zoning district Wholesale Establishments as defined in 17.08.050, thereby allowing sale to warehouses and distributors.		
DEVELOPMENT TEAM				
Owner Leveraged Holdings LLC		COMPLETE SUBMITTALS SHALL INCLUDE: SUBMITTED		
Address 5167 Utica Ridge Road		Existing & Proposed Text, as a .PDF, if preferred ☐		
Phone [REDACTED]	Secondary Phone [REDACTED]	Authorization to Act as Applicant, if necessary ☐		
E-Mail Address [REDACTED]		Application Fee: (REQUIRED) \$400* ☐ * plus Scott County Recording Office fees at a later date		
Attorney/Other Thomas J. Pastrnak		PROCEDURE SHALL BE AS STATED IN §17.14.040		
Address 313 W. 3rd Street Davenport, IA 52801		Approval Standards: Consistency with the Comprehensive Plan and Future Land Use Map. Promotion of public health, safety, and welfare of the City. Consistency with the general intent and regulations of Title 17. Purpose of the amendment (error correction/omission, or clarification). Extent that the proposed amendment protects against nonconformities.		
Phone [REDACTED]	Secondary Phone [REDACTED]			
E-Mail Address [REDACTED]		Submit this form to Planning Staff at: planning@davenportiowa.com or contact staff with any questions or requests for additional information.		

Addendum to
Zoning Code Headings & Section Numbers Impacted

*and such other provisions in Davenport's City Code, especially relating to C-3 zoning, that should be included therewith

1. The consistency of the proposed amendment with the Comprehensive Plan and any adopted land use policies.

Not surprisingly and by adding/permitting wholesale (which is merely selling goods and/or services to a limited customer base as defined by Davenport's Code) it lessens the intensity on properties in a C-3 District (although it may increase traffic and/or semi-truck traffic which the arterial roads in the C-3 District are very capable of handling along with the properties thereon which, in most instances, already have load areas) such that:

- A. consistency with the Comprehensive Plan and land use policies are maintained; and
- B. synergy with existing development will also be maintained

Furthermore, as wholesaling was once a permitted use in certain C-Districts based on Davenport's prior zoning code, its reemergence will not impair and/or impact properties in the C-3 District; rather, based on existing market conditions, it enhances development in the C-3 District.

2. The extent to which the proposed amendment promotes the public health, safety, and welfare of the City.

While the text amendment is somewhat neutral on this issue, Petitioner submits that by allowing wholesale use in the C-3 District, it will provide:

- A. the expansion/development of big box facilities that are vacant/near vacant;
- B. remove/reduce loitering/vagrancy in these affected areas; and
- C. provide enrichment to the tax base

3. The consistency of the proposed amendment with the intent and general regulations of this Ordinance.

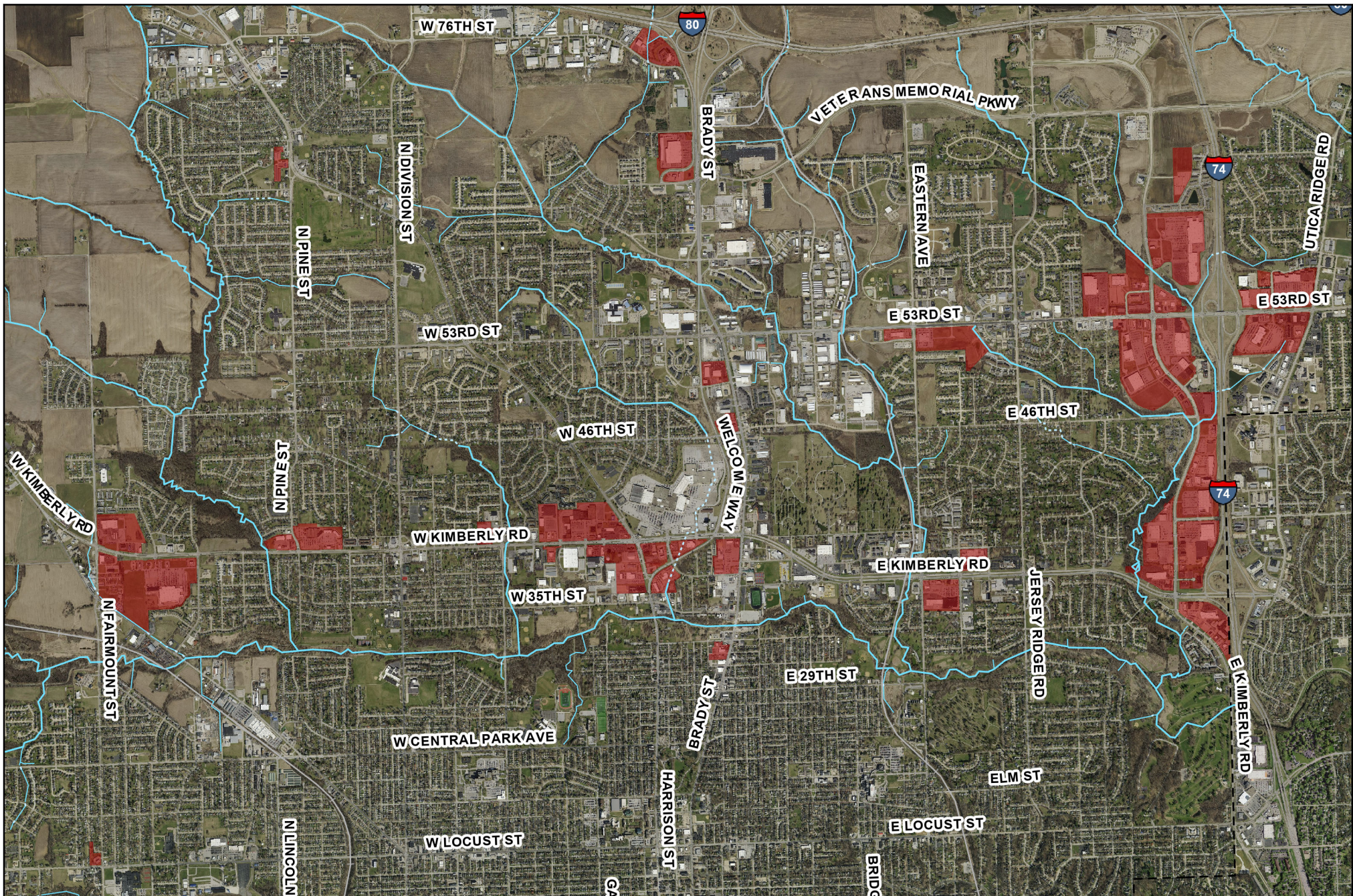
Petitioner reemphasizes that wholesaling was once a permitted use in certain C-Districts based on Davenport's prior zoning code, such that in essence its truly not inconsistent with the concept and general notion of what is or should be in a commercial district.

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.

No, although Petitioner acknowledges that market conditions have changed commercially, such that there are less big-box stores being built and those that have been built need to be retrofitted.

5. The extent to which the proposed amendment creates nonconformities.

Actually, by adding wholesaling, the text amendment renders those properties previously grandfathered under the prior zoning code or currently engaging in wholesaling on an ancillary basis to now be a conforming use once again (in fact, some existing retailers are already engaging in wholesale activities with business customers, for example: Sam's Club, Costco, Best Buy, etc.)



Legend

Zoning Districts

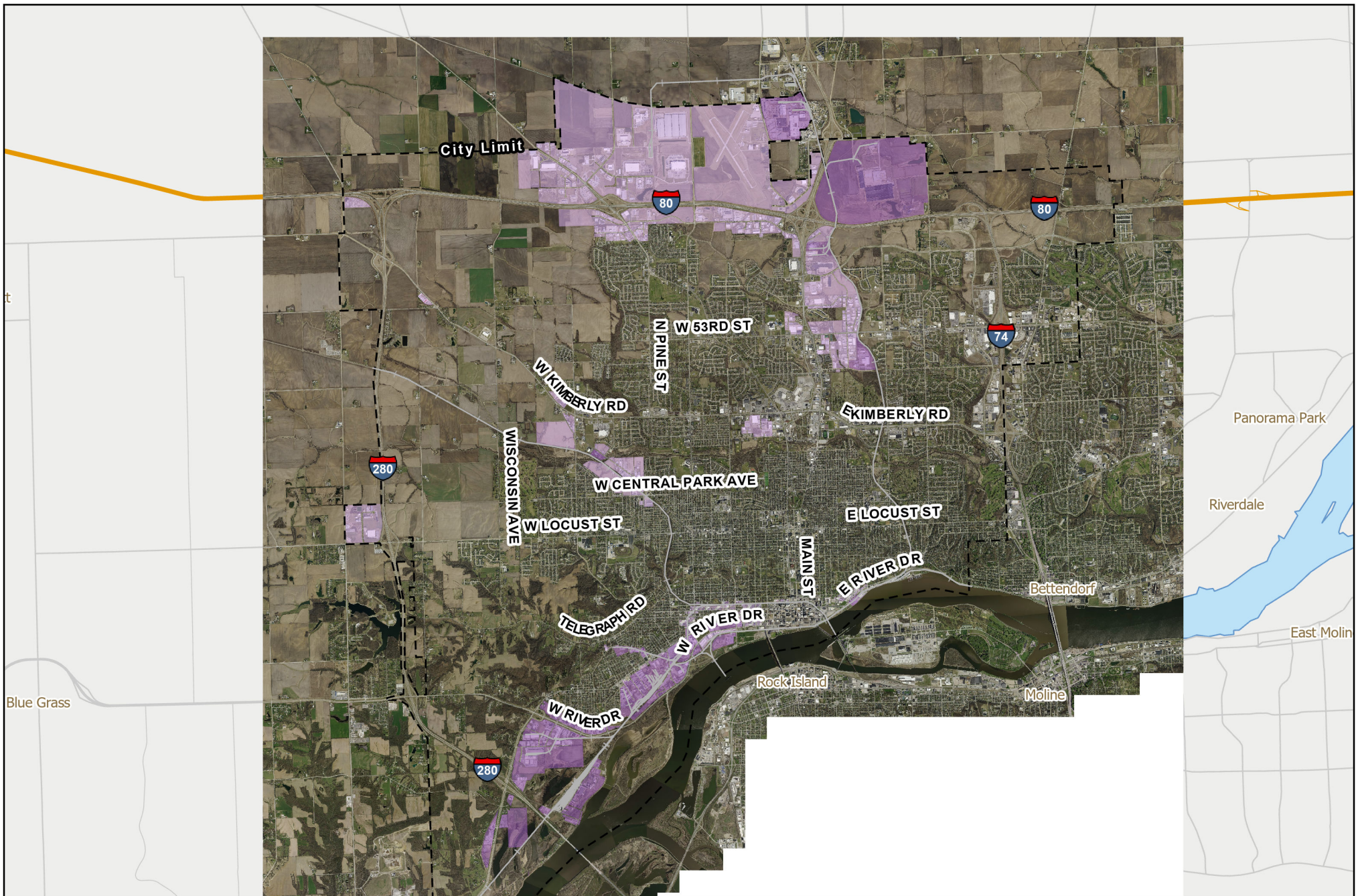
C-3

 C-3 General Commercial
Zoning District

C-3 Zone Overview Map

0 0.5 1
 Miles





Legend

I-1 Light Industrial
Zoning District

I-2 Heavy Industrial
Zoning District

I-MU Industrial Mixed-
Use Zoning District

Industrial Zone Overview Map

0 1 2
Miles



City of Davenport

Department: Development & Neighborhood Services

Contact Info: Matt Werderitch | 563-888-2221

Action / Date

10/14/2025

Subject:

Consideration of the September 30, 2025 meeting minutes.

Recommendation:

Approve the Minutes.

Background:

The September 30, 2025 meeting minutes are attached.

Attachments:

1. Meeting Minutes 9-30-25

MINUTES
PLAN AND ZONING COMMISSION MEETING
CITY OF DAVENPORT, IOWA
TUESDAY, SEPTEMBER 30, 2025; 5:00 PM
CITY HALL | 226 WEST 4TH STREET | COUNCIL CHAMBERS

I. Roll Call

Present: Eikleberry, Hepner, Tallman, Inghram, Maness, Garrington, Schilling, Thomas, Schneider

Excused: Dunlop, Johnson

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 September 16, 2025 meeting minutes.

Motion by Hepner, second by Tallman, to approve the September 16, 2025 meeting minutes. Motion to approve was unanimous by voice vote (8-0).

IV. Report of the Comprehensive Plan Committee

V. Zoning Activity

A. Old 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]

Motion by Inghram, second by Tallman, to remove Case ORD25-02 from the table to continue discussion. Motion to remove Case ORD25-02 from the table was unanimous by a roll call vote (8-0).

Commissioners and staff discussed revisions to the proposed amendment to the Davenport Zoning Ordinance regarding solar energy installations. The amendment would clarify regulations to permit both solar farms (utility and community scale facilities) and freestanding solar panels (ground-mounted systems) within the City.

Staff provided an overview of the revised draft language, noting that the amendment seeks to establish definitions, set location and design standards, and outline appropriate zoning districts for such uses. The intent is to balance the promotion of renewable energy development with compatibility considerations for surrounding land uses.

Staff recommended the Commission hold further discussion and then table Case ORD25-02 to allow additional time to make revisions based on the feedback received. This is also a result of additional comments made by City Council at its September 30, 2025 Management Update Meeting.

Commissioners raised additional concerns regarding the decommissioning process, maximum height limitations, battery energy storage system safety measures, and the Special Use permit approval process.

There were no members of the public in attendance.

Motion by Tallman, second by Garrington, to table Case ORD25-02. Motion to table was unanimous by a roll call vote (8-0).

B. New Business

VI. Subdivision Activity

A. Old Business

B. New Business

VII. Future Business

VIII. Communications

IX. Other Business

X. Adjourn

Motion by Maness, second by Tallman, to adjourn the meeting. Motion to adjourn was unanimous by voice vote (8-0).

The meeting adjourned at 6:05 pm.

City of Davenport

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

Action / Date
10/14/2025

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:

Staff recommend the Plan and Zoning Commission accept the listed findings and forward Case ORD25-02 to the City Council with a recommendation for approval.

Findings:

1. The proposed amendment is consistent with the Comprehensive Plan and adopted land use policies.
2. The proposed amendment promotes the public health, safety, and welfare of the City.
3. The proposed amendment is consistent with the intent and general regulations of the Zoning Ordinance.
4. The amendment reflects a change in policy and development trends.
5. The amendment may create minor nonconformities.

Background:

On May 7, 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.

Project update:

- September 2, 2025: Background materials and industry trends were presented with a draft ordinance amendment at the Plan & Zoning Commission Public Hearing.
- September 16, 2025: The Plan & Zoning Commission held additional discussion on the draft ordinance amendment.
- September 30, 2025: Staff presented the draft ordinance amendment to City Council at the Management Update meeting. Several concerns were raised about solar as a principal use in residential and commercial districts. Immediately following the meeting, the Plan & Zoning Commission reviewed the draft ordinance amendments, and tabled the item to allow Staff additional time to make revisions based on the feedback received by Council.

The proposed amendments include:

- Removed the principal use of community-scale solar.
- Updated use matrix to remove community-scale solar as a principal use category.
- Refined accessory solar language in Building Mounted Systems to address the height allowed for solar on flat-roofed buildings.

The current code and proposed code have been attached to this report.

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 received public comment in favor of the request. The comment offered adjustments to the language. Staff will apprise the Commission of any further correspondence at the October 14, 2025 Plan and Zoning Commission.

Attachments:

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

Proposed Solar Ordinance Amendment

October 14, 2025

17.02.030 Definition of General Terms

Battery Energy Storage System

Electrochemical devices of 1 MW capacity or greater that charge or collect energy from the grid or a generation facility and discharge that energy at a later time to provide electricity or other grid services.

Solar Energy System

An aggregation of devices and structures whose boundaries can cross parcel lines designed to collect, store, and distribute solar energy for electricity generation, heating, cooling, or other uses. This definition applies to Solar - Utility-Scale and Accessory Solar Energy System and does not apply to solar panels on self-powered devices like decorative lights, pond pumps, or those in the right of way.

17.08.050 Use Definitions

Solar - Utility-Scale: A solar energy system designed primarily for wholesale electricity generation for sale into the electric grid. Utility-scale systems are not intended to serve on-site or localized users.

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-
Solar - Utility-Scale																S	S		S			Sec. 17.08. 030.BB

17.0G.030 Principal Use Standard

1. General regulations for Solar Energy Systems:
- a. Solar energy systems must follow district standards unless mentioned here.

b. Solar energy systems are prohibited within the Special Flood Hazard Area.

c. No grid-tied solar energy systems may be installed until evidence has been provided that the owner has been approved by the utility company to install the system.

d. Solar energy systems shall be built with “anti-reflective coating” or similar language and shown on the specification sheets submitted.

e. A third-party glare study and confirmation that glare will be minimized or eliminated from adjacent properties, buildings, and residences shall be submitted for approval.

f. A view sheds analysis from residential districts to solar energy systems shall be submitted for approval. Solar energy systems must be screened from view of residential districts using trees, shrubs, and other perennial plants, the locations of the screening shall be derived from the analysis.

g. All components of the solar energy systems shall be maintained in good state of repair and safe condition. Damaged, deteriorated or inoperable solar energy systems components shall be repaired or replaced in 12 months. In the event of those circumstances not considered in this ordinance prevent repair of the solar energy system components by 12 months, communications and presentation of rectifying steps shall be made to The Zoning Administrator.

h. A Site maintenance plan shall be submitted and approved. The plan shall include the repair and replacement of solar energy system equipment, landscaping maintenance, and other agreements not limited to this ordinance shall be submitted.

i. A decommissioning plan shall be submitted and approved. The decommissioning plan 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 solar energy systems. The plan shall follow demolition requirements per city code to include site finish, drainage, and ground cover. Additional information may be required by the Zoning Administrator.

j. Shall include provisions for future growth opportunities including future rights-of-way, public infrastructure, utilities, subdivisions, and other easements as established within the City Code.

k. All accessory uses and structures shall follow accessory use standards.

l. Battery energy storage systems accessory to Solar - Utility-Scale systems shall be subject to these additional standards:

i. Battery energy storage systems shall be setback a minimum of 200 feet from a property line.

ii. Battery energy storage system shall be a minimum of 200 feet from an edge of any natural waterbody to include any water conveyance system, detention or retention facility that openly feed natural waterbodies.

iii. Battery energy storage systems shall be setback a minimum of 500 feet from any building.

iv. Battery energy storage systems shall be secured from the public.

v. Maintenance and decommissioning plan associated solely with the battery energy storage systems to include but not limited to the anticipated life of the battery energy storage systems and the safety steps required for continued use shall be submitted for approval to the Zoning Administrator.

vi. Dilapidated or inoperable battery energy storage systems shall be repaired or replaced within 12 months. In the event of those circumstances not considered in this ordinance prevent repair of the battery energy storage systems within 12 months, communications and presentation of rectifying steps shall be made to Zoning Administrator.

17.0G.030 Accessory Structures and Uses

S. Accessory Solar Energy System

- 1. General Requirements.
 - a. Shall be built with “anti-reflective coating” or similar language and shown on the submitted specifications sheet for the solar energy system.
 - b. The solar energy system must be placed so that concentrated solar radiation or glare is not directed onto adjacent properties or roadways.
- 2. Building Mounted Systems
 - a. A building mounted solar energy system may be mounted or applied to the roof, wall, or other architectural feature not included here 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 the solar energy system shall be setback from the edge of the roof 1 foot for every 2 feet in height
 - i. Solar energy system shall not exceed 6 feet in height on a structure 40 feet or less in height. For structures 40 feet in height or less and for any building where the solar energy system cannot meet the setback requirement, there must be either a parapet wall or other solid building material that is architecturally integrated with the structure to screen the solar energy system.
 - ii. Solar energy system shall not exceed 15 feet in height on a structure over 40 feet in 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 Solar Energy Systems.
 - a. Freestanding solar energy systems are prohibited within the Special Flood Hazard Area.
 - b. Freestanding solar energy systems shall follow accessory structure regulations in Section 17.09.030.
 - c. Freestanding solar energy systems shall be subject to the underlying zoning districts maximum impervious surface and maximum building coverage standards.
 - d. In residential districts except for R-MF:
 - i. Freestanding solar energy systems are only allowed in the rear yard.
 - ii. On a double frontage or through lot, the rear yard shall be considered the street frontage adjacent to the street with the higher street hierarchy classification and for which no driveway access is provided. Freestanding solar energy systems are permitted in the designated rear yard and are subject to the principal use setbacks.
 - iii. The maximum height of a freestanding solar energy systems is 10 feet.
 - iv. Shall not be larger than 50% of the building footprint or 720 square feet, whichever is greater.
 - e. In all other districts including R-MF:
 - i. Freestanding solar energy systems are allowed in the rear and interior side yard.
 - ii. Freestanding solar energy systems shall not be larger than 50% of the impervious surface.
 - iii. Freestanding solar energy systems are permitted in all yards when over an approved parking lot and subject to these additional standards:
 - 1. Shall provide minimum vertical clearance of 8 feet.
 - 2. Shall not remove or cover parking islands or landscaped areas.
 - 3. Shall follow all parking standards.
 - g. Battery Energy Storage Systems are prohibited as an accessory use unless granted permission by the Fire Marshal.

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

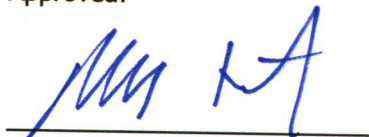
WHEREAS, the City of Davenport wishes to study best practices around the country; and

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.

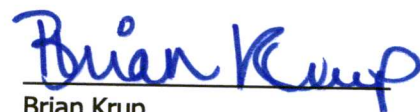
Approved:



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