

**Minutes: Washington County Zoning Commission**  
Monday, December 1, 2008, 6:30 pm  
Washington County Conservation Education Center, Marr Park  
Ainsworth, Iowa

Members Present: Harold Frakes, Shaun Greiner, Don Kline, Steve Swaffer, Larry Thomann, Layne Twinam.

Members Absent: Ray Yutzy.

Also Present: Jacob Thorius, Secretary; Linda Wenger; Leslie Zickefoose; Dave Skubal; Jeff Thomann; Gary Lozano.

Meeting called to order at 6:30 pm by Layne Twinam.

1. Tentative agenda was reviewed. Motion to approve the agenda was made by Don Kline, seconded by Steve Swaffer. A voice vote was conducted on the approval of the agenda with all voting aye and motion carried.

2. Motion to approve the minutes was made by Harold Frakes and seconded by Steve Swaffer. A voice vote was conducted on the approval of the minutes with all voting aye and motion carried.

3. Gary Lozano gave an update on the zoning ordinance status, it is on track. The goal for this meeting is to get the basic framework of the Conservation Overlay, Agricultural, Ag Residential, and Rural Village districts completed within the next two meetings. Gary reviewed the map that shows residential parcels including all rural residences that are not ag related, approximately 2000 parcels. The maps showed that the rural growth is clustered in about 3-4 areas around the County.

4. Gary reviewed the zoning recommendations for the different district types. These are the basis for the types of area/land around the County that would allow specific types of development.

- Conservation District: to preserve environmentally sensitive areas
- Ag District: primarily used for agricultural operations
- Ag Residential: primarily ag use, but allows residential growth to happen
- Rural Village District: recognizes existing communities such as Richmond, and Rubio; have smaller lots and are difficult to sewer

Gary went over the 100 year flood plain maps from FEMA.

Then he reviewed the conservation development overlay district and clarified what it is meant to accomplish. It is supposed to create an incentive for development in areas to allow smaller lots but they have to develop in ways to protect the natural resources. It should be used in areas where residential development is meant to happen. It permits more

marketable lots in one development area. Gary also reviewed the process needed to develop land based on conservation development.

Don Kline thought that a zone that protects the natural resources & open space around the county is needed. Much discussion followed on that idea with Gary stating that the reason he did not include an open space district is that he was trying to keep the draft ordinance as simple as possible. Gary thought that the agricultural district would do the same type of thing.

Next, Gary went over the Ag District section. The goal is to protect agricultural land. He recommends a minimum lot size to be 35 acres.

Harold Frakes added that a person needs 10 acres for a mortgage. Gary said that 35 acres would then discourage growth and protect the agricultural land from development.

Steve Swaffer questioned, "What about farmers who split off existing farmstead from the farm?" Gary said that the commission needs to make exemptions/grandfather in the existing farmsteads and residences. They can handle these issues by considering existing uses and saying that they are legal at the time of adoption.

Steve Swaffer voiced concern about the people who want 5-10 acre acreages. How would the zoning ordinance allow for that? Gary said that the Ag Residential lots size is a minimum and not a requirement of the lot size to be 2 acres. Plus there are numerous existing parcels less than 35 acres that could be allowed to be built on, depending what the commission wanted to do with all those parcels if the ordinance is adopted.

Gary Lozano recommended preserving open space through flood plain, county parks, state parks, and maybe any other definitive natural areas.. He will look at the possibility of a zoning district or overlay to cover these items.

The Rural Village district tries to accommodate the existing communities of Richmond/Rubio that already have small lots with no room to put up to code septic systems on them. This district would make these existing parcels legal and not put any cloud on their titles.

5. The public had a chance to ask questions. Les Zickefoose asked about a hypothetical situation where his house burns down and if he would be able to rebuild on same property. Gary Lozano said no, it would apply to a use that wasn't established properly. He would recommend that all existing properties that are occupied be granted as legal uses even though they may not be in a correct zoning district and thus you would then be able to rebuild if your home was destroyed by fire or in a natural disaster. What about all the property under the minimum lot size that is already subdivided? Gary said that they could allow all those to be built on at time of adoption and then it would be a legal use. They could tie the existing use to if it would not be a legal use or not.

6. February will be the next public hearing. At the January meeting, the Commission will continue to discuss these topics and will also talk about commercial and industrial districts.

7. Motion to adjourn meeting was made by Don Kline, seconded by Larry Thomann. A voice vote was conducted with all voting aye and motion carried. Meeting adjourned at 8:08pm.

Respectfully Submitted,

Jacob Thorius, Secretary  
Zoning Commission