

**Minutes: Washington County Zoning Commission**  
Monday, June 1, 2009, 6:30 pm  
Washington County Conservation Education Center, Marr Park  
Ainsworth, Iowa

Members Present: Harold Frakes, Shaun Greiner, Don Kline, Steve Swaffer, Layne Twinam, Ray Yutzy.

Members Absent: Larry Thomann.

Also Present: Jeff Thomann, James Miksch, Les Zickefoose, Joelynn Zickefoose, David Patterson, Dave Skubal, Linda Wenger, Jim Rosien, Gary Lozano, Jacob Thorius.

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. Minutes of the Zoning Commission meeting from May 4<sup>th</sup>, 2009 were reviewed. Motion to approve said minutes was made by Ray Yutzy, seconded by Steve Swaffer. A voice vote was conducted on the approval of the minutes with all voting aye and motion carried.

Minutes of the Zoning Commission meeting from May 26<sup>th</sup>, 2009 were reviewed. Motion to approve said minutes was made by Don Kline, seconded by Ray Yutzy. A voice vote was conducted on the approval of the minutes with all voting aye and motion carried.

3. Gary Lozano went over the project status. He will lead meetings another two times, in addition to the public hearings, but he expects the Commission to meet on their own and keep Gary informed. There is a draft ordinance completed.

He stated he would speak briefly on the topics of parking, signs (billboards in particular), and the Administration & Enforcement sections during the meeting.

4. Review of changes:

Section 7.07 Fence Regulations – it outlines what is permitted for a fence. It does not force anybody to do fencing, that is screening. Layne Twinam wondered if it is state code to require fencing, Gary Lozano was not sure. Gary asked the Commission if they want to be concerned about all fences being used. He stated that he would check more in to the Iowa Code and fence regulations.

Section 8 includes three components, and typically applies to commercial/industrial uses

- (1) Landscaping requirements – beautify the property, only applies to Civic, Commercial/Office, and Industrial uses
- (2) Bufferyard – to keep a separation distance between different use types
- (3) Screening standards – block/screen uses that may be unsightly next to non-compatible uses.

Typical approach in an ordinance is to require a new business to build a screening/buffer between the resident and the neighbor's different use. Gary Lozano explained that this tries to protect the residential uses. He understands if the Commission wants to delete the landscaping portion of this section, but he advised keeping the buffer/screening wording in the document.

Regarding Mobile Homes – they are only permitted in mobile home parks, not permitted as a single wide on a single family lot. Yes, pier foundation can meet requirements to be converted to real estate, but it also needs to meet state requirements. Ray Yutzy is concerned, what if somebody needs to use a mobile home temporarily. Gary Lozano answered that this could still be done through a special use permit for a given time period through the Zoning Board of Adjustment.

***Ray Yutzy made a motion to allow mobile homes by special permit with owner stating a specific time frame for single family lot use for a maximum two year limit. Motion seconded by Shaun Greiner. A voice vote was conducted on the motion with all voting aye, motion carried.***

***Shaun Greiner made a motion to amend the previous motion to also include that mobile homes must have a HUD sticker past 1976. Motion seconded by Ray Yutzy. A voice vote was conducted on the motion with all voting aye, motion carried.***

Regarding the Elimination of Article 7 – This section provides for special conditions to the previously regulated items. It helps clarify and make exceptions to the regulations. If you eliminate Article 7 then there is a need to change Article 4 to allow for potential exceptions.

7.02 – will eliminate requirement of frontage for each lot

7.03 – lot size exceptions, allows for small lots.

Layne Twinam asked if it is better to have this article in now or later. Gary Lozano said most of this is basic/standard use, it is already being seen in covenants for subdivisions around the county. These setbacks are making it easier by providing exceptions. Don Kline said that most people are already following these rules for setbacks, but someday there will be somebody that will try to do something against the policy, and this is needed to keep someone from doing that. Gary Lozano said that it covers all kinds of situations – situations that may not happen for years, but it will give zoning officials something to guide the public.

7.05 – Garages could be something to eliminate, probably not an issue out in the country.

Gary Lozano went over each section of Article 7 outlining pros/cons. It is up to the Zoning Commission to decide what should be left in/taken out.

6.02.C. – Animal Production in Ag Residential district – getting rid of this section allows people who do not live on a farm to raise any animal they want. Steve Swaffer asked Gary Lozano to come up with a definition that outlines where these uses may not be allowed, particularly in those areas where growth is already occurring. Gary will look at something

that is based on residences clustered together, will have to map it out. Gary said he can define what a build up area is.

Regarding the Matrix Concept – about 6 counties around the state have these.

Louisa County, they are not getting growth, they want more people but to also protect their farmland. They utilize an approach similar to LESA (Land Evaluation Site Assessment). Most of the county is zoned Ag, they are now trying to allow homes in 2 acre lots in that district if it meets their matrix scoring requirement. They evaluate 4 main factors plus some additional items. Their process has only been in place since November, it is too soon to tell how well it works.

Linn County uses the full blown LESA approach, Gary went over their assessment process as well.

Gary did not originally suggest the matrix concept because it is not a simple process, it requires a lengthy review process to determine where a good development area is. There are three options for Washington County: (1) separate zoning districts as currently defined, (2) total reliance on a LESA based system, or (3) combined used of LESA type system with zoning districts. The Zoning Commission needs to consider complexity, administration, and effectiveness when choosing which approach to use.

Layne Twinam discussed the zoning/assessment plan he has developed on his own using the matrix concept. An example handout was provided

Don Kline is concerned about pushing development on marginal ground that can still be very productive.

Gary Lozano suggested evaluating specific sites around the county to see how the proposed matrix may work.

For the next meeting of the Commission, Gary Lozano suggested looking at restricting billboards to industrial/commercial zones. Look at non-conforming section, either structures or uses each have different requirements. (Structure - never torn down, Use – eventually meets regulation and never goes back to non-conforming use.) Also need to look at off-street parking, it is pretty standard, mostly commercial/industrial.

Harold Frakes voiced questions about Article 6 and where/when does it apply. Gary explained that it applies to any residence the way it is written.

Louisa County uses the simplified matrix to allow houses in the Ag areas where you originally require a larger lot size. Use the full LESA for rezoning it for subdivisions, they need to be in a residential zone.

There was a discussion about what the Conservation Overlay district means. Harold Frakes would like to see the map showing the conservation overlay on top of the Alternative III map.

Shaun Greiner thinks that the ordinance should force conservation development on the poorer CSR valued land.

David Patterson, Washington County Engineer, told the group that they are constraining the scattered growth to an area where it can be provided with infrastructure. Most of the cities in Washington County do not have the ability to grow – Kalona, Riverside, Wellman, and Washington are all seeing some growth, so the 2 range around them makes sense. It doesn't make sense around West Chester, Brighton, Coppock, Keota and Ainsworth.

Gary Lozano reminded the Commission again that he will come back for two more meetings to do this type of dialogue like tonight, and then he will come back for the public hearing.

The Zoning Commission will meet on Monday, June 8<sup>th</sup> at 7:00pm at the Conservation Education Center at Marr Park in Ainsworth, IA to focus on tonight's topics again.

Comments from the public:

Joelynn Zickefoose – disagrees with the proposed 2 year time limit for mobile homes in an 8' wide trailer.

David Patterson (Washington Co. Engineer) – getting a feel for how complicated the process will be to analyze a property and determine what can be done on a property. Gary Lozano said that a typical county has a full-time zoning administrator to handle these questions, especially if there is a lot of development going on in the county.

Jim Rosien (Washington Co. Supervisor) – Question – if a family owns 80 acres and want to split off 5 acres for a home for their son, how do they do that? Gary Lozano said it depends on how the property is zoned and maybe how it rates on a matrix scoring system.

Jim Miksch (Washington Co. Supervisor) told the Commission that he appreciates the work that they are doing.

Motion to adjourn the meeting was made by Don Kline, seconded by Steve Swaffer. A voice vote was conducted with all voting aye and motion carried. Meeting adjourned at 8:43 pm.

Respectfully Submitted,

Jacob Thorius, Secretary  
Zoning Commission