

**Minutes of Meeting
Newton Planning and Zoning Commission
Formal Meeting
June 22, 2021**

ROLL CALL: Board members present: G. Berndt, Cantu, Johnson, Poynter, Repp, Woody

Board members absent: J. Berndt

STAFF PRESENT: Brian Dunkelberger, City Planner
Erin Chambers, Community Development Director
Matt Muckler, City Administrator

A quorum being present, Chair Woody called the meeting to order at 5:05 PM.

In accordance with the Americans with Disabilities Act, Chair Woody questioned if there was anyone present that may require special assistance in being able to participate in this public meeting. There was no response.

Minutes. Minutes of the previous meeting of June 1, 2021 were reviewed. **Motion** by Johnson, **seconded** by Poynter to approve the minutes as written for the previous meeting. Voice Vote: Approved 6-0.

Public Hearing.

- A) ZOA21-2: Zoning Ordinance Amendment for the C-CBD: Central Business District to allow overnight camping as a conditional use. DMACC, applicant.

Chair Woody introduced the public hearing by reviewing two listed criteria from the staff report. One being the requirement for 24-hour access to restrooms facilities. She shared her concerns with this requirement and felt it was restrictive. Kim Didier, Executive Director of DMACC Business Resources, commented that she agreed this requirement would be a high bar for any property and that it could prove to be difficult to achieve. Johnson agreed and provided an example from Newton Fest and felt that this specific requirement should be reconsidered. Erin Chambers, Community Development Director, explained that Staff agreed the requirement could be reworded but that 24-hour restroom access is an important feature of a campground. Woody suggested the listed criteria be changed instead to exclusively allow fully-contained campers with personal bathrooms instead to avoid being too restrictive towards an interested property.

Woody also pointed out a concern with phrasing about recreational activity outside of campers. Dunkelberger clarified that the example was included to prevent activity beyond a designated camping area, such as children playing in highly-trafficked areas, obstructions to other parking areas, trespassing across property lines, etc. Cantu recommended that extra language be added to clarify that such activity is not allowed "*beyond the designated camping area.*" He also asked about the motivation behind the proposed ordinance amendment. Didier explained how it was a strategy to attract visitors to Legacy Plaza and encourage them to patronize local businesses and explore other parts of the community.

Cantu asked if Legacy Plaza would be a regionally exclusive location for the Harvest Host program, and that it seemed to sound like the program was geared toward more rural attractions and not a central business district of a community. Didier shared a few other locations in Iowa including Colfax, Colo, and Cedar Rapids. She also answered by providing an example from Dubuque which was near their downtown and how there was a significant mix of destinations around the country both rural and urban. Cantu suggested that it might be worthwhile to explore other communities that allow this use and how they approach the subject (like Dubuque).

Hearing no additional comments, Chair Woody called for a motion to close the public hearing. **Motion** by Cantu, **seconded** by Repp. Approved 6-0.

Chair Woody opened the floor up to the Commissioners for discussion and evaluation of the proposed zoning ordinance amendment. Johnson stated that she felt the 24-hour restroom requirement should be removed entirely. G. Berndt agreed with earlier comments and reiterated that he felt much more clarity was achieved since their last meeting and how the two criteria that were discussed should be reworded. Chair Woody emphasized that the fifth listed criteria needed the additional language regarding recreational activity *beyond the designated camping area* to clear up any confusion.

Cantu evaluated the proposal and questioned Staff about other eligible properties according to the listed criteria. Dunkelberger shared that approximately 13 other properties in the zoning district would potentially be eligible. Cantu offered some perspective to the proposal by describing a hypothetical situation. That is, if all 13 properties decided to pursue such a conditional use, that would mean 130 campers could be parked in the C-CBD zoning district at one time. Commissioners discussed how they recognized this as a possibility but also how they felt strongly about the fact that most other eligible properties and/or owners would not be interested in such a use at their property. Fareway and Park Center were offered as examples, and Commissioners reviewed the fact that a few of the eligible properties were owned by either Jasper County or the City of Newton.

With no further discussion, Chair Woody entertained a motion. **Motion** by Cantu to recommend approval of ZOA21-1 to allow overnight camping as a conditional use within the C-CBD: Central Business District with the appropriate revisions to the listed eligibility requirements including the change to 24-hour restroom access and a clarification to the limitations of recreational activity as reviewed during the June 22, 2021, meeting, **seconded** by Johnson. Approved 6-0.

B) Discussion – review of nuisance code.

Dunkelberger reviewed the prepared memorandum and introduced a discussion of potential nuisance and zoning code updates relating to semi/tractor units parking on residentially zoned properties. Chair Woody asked if there were any members of the audience who wished to comment on the matter.

Fran Henderson, 1101 South 13th Avenue West, stated that she stood in opposition to any changes that would allow semi/tractor parking in residential neighborhoods in Newton. She reviewed recent community survey results which highlighted how curb appeal was a priority for Newton residents. While curb appeal doesn't have a precise definition, Henderson opined that it tied directly to aesthetics of properties. She then paraphrased quotes from the comprehensive plan relating to aesthetic value in neighborhoods. Henderson commented that she had personally observed semi/tractor units parking in residential areas more and more even though it was not allowed. She encouraged the Commissioners to stick with the existing code language and requirements. She closed by saying it may be even more appropriate to tighten the restrictions, and loosening them would prove to be highly problematic.

G. Berndt stated that he respected Mrs. Henderson's comments, but that he disagreed and outlined his feelings regarding the matter. He commented on the trucking industry and how truckers' jobs depend on them coming and going frequently. He pointed out how he supported the idea of allowing semi parking in residential areas, but also recognized the need for compromise if necessary. He discussed a few options including limitations to time parked (24 hours), on-street versus on private property, etc.

Repp stated that she agreed with Mrs. Henderson and expressed how it was already difficult to navigate some residential streets. She shared that she had great respect for the trucking industry, but that such parking was more appropriate and even expected within industrial areas of the community. She described how truckers had already accepted the established rules in Newton, and that if said rules were changed then she would have serious concerns for the safety and wellbeing of Newton residents.

Johnson mentioned that she had an opportunity to visit with others including a neighbor who drove a semi for Dollar General. One individual suggested that semi/tractor units are a place of work. That individual questioned the idea because if other residents are required to drive to their place of work, then why should truck drivers be an exception and bring their work to their home and impact neighbors? The neighbor who Johnson visited with who hauled inventory for Dollar General told her "Absolutely no." He shared details regarding how residential streets are not typically constructed for high weight, designated truck routes already exist, concerns with inexperienced drivers causing damage to property or utilities, and many other reasons why he felt that it could prove to be highly problematic.

That same neighbor did expound on his position by describing three key issues that truck drivers face in Newton. First, there are not enough alternative semi parking spaces in or around Newton. He offered Love's Travel Stop in southeast Newton along I-80 as an example and explained how whenever there aren't enough spaces there, he has to park in Grinnell and either call his parents or pay for a cab ride. Second, he expressed a strong desire for a local place designated for truck parking. While he didn't support the idea of semi-trucks parking in residential neighborhoods, the issue could be solved with a viable alternative location dedicated to semi/tractor parking. Third, security was a major concern for drivers parking and leaving their trucks at another location, so if alternative parking was to be created then it should be secured in some fashion.

Cantu reiterated an earlier point in that it would only take one inexperienced driver to clip an overhead electrical line or drive over an in-ground utility pedestal to have an immediate negative impact on an entire neighborhood or maybe even the entire city. However, he did state that he feels like the trucking industry was not supported enough at that time. He emphasized the idea of influencing viable alternatives for semi parking rather than any code language for parking in residential neighborhoods.

Chair Woody considered her personal perspective on the matter and how it was already a challenge to see around pick-up trucks parked on her street and that she couldn't imagine some of the potential safety hazards with sight lines around semi-trucks. She highlighted the fact that she came from a long line of long-haul truckers and that it was an essential occupation, but that there was a better solution to the issue at hand. Repp pointed out that if semi-trucks were allowed to park on a street and it impeded access to a mailbox, that could result in deliveries not being delivered for a day or possibly even longer. Johnson and Cantu asked if anyone was aware of how many long-haul drivers lived in Newton. Both highlighted the value and importance of supporting them and their occupation.

Hearing no additional discussion, Staff reminded the Commission that this was just the introduction of the conversation and that they should expect to revisit the topic at their next meeting. Commissioners expressed a desire to continue the dialogue, and also requested that Staff research an estimated number of long-haul drivers in Newton and viable alternative parking locations within or near Newton. The discussion was tabled and will continue at the next scheduled meeting.

C) Discussion – Comprehensive Plan Steering Committee

Commissioners and Staff discussed the upcoming Comprehensive Plan project and the need to establish a steering committee to assist and provide feedback for the public input and planning process. Staff reviewed a list of potential stakeholders, and several additional ideas were suggested. The Mayor will appoint specific individuals and City Council will make the final decision.

Old Business: None.

Hearing no further discussion, Chair Woody called for a motion to adjourn. **Motion** by Cantu to adjourn the meeting, **seconded** by Johnson. Approved 6-0. Meeting was adjourned at 6:30 PM.