

NOTICE OF PLANNING & ZONING COMMISSION

City of Cumming

January 26, 2021 – 7:00 p.m.

Cumming City Hall – Electronically

649 N 44th Street

Cumming, Iowa 50061

This meeting of the City of Cumming Planning and Zoning Board, on Tuesday, January 26, 2021 will be held electronically. Pursuant to Iowa Code Sections 21.4 and 21.8 this meeting will be held by electronic means due to the Governor’s proclamations regarding social gatherings due to the spread of COVID-19. Attendees can access the meeting via [Zoom](#).

- I. ROLL CALL**
- II. APPROVAL OF AGENDA** as presented and/or amended.
- III. CONSENT ITEMS**
 - A. December 15, 2020 Meeting Minutes
- IV. PUBLIC COMMENT**
- V. ACTION/DISCUSSION**
 - A. Designated Truck Route
 - B. Food Truck Application Fees/Changes
 - C. Seasonal Event Ordinance
 - D. Comprehensive Plan 2021
- VI. PUBLIC COMMENT**
- VII. UPCOMING PLANNING & ZONING MEETING:**
 - A. Regular meeting – February 23, 2021 at 7:00 p.m. at City Hall
- VIII. ADJOURN**

If you would like to participate or view this meeting please download the app and choose “Join Meeting” up to 10 minutes prior. The meeting ID is: 870 1486 2189. Password: 195517 If you would like to join by telephone please call: 312-626-6799 and enter the Meeting ID and Password when prompted. Please keep your microphone muted unless you are called upon to speak during public comment. The standard rules of order apply during this meeting.

City of Cumming
Planning and Zoning Commission Meeting
December 15, 2020 Minutes

The Cumming Planning and Zoning Commission held scheduled meeting on December 15, 2020 at 7:00 p.m via Zoom

The meeting was called to order by Chair, Ethan Roos, at 7:04 p.m.

I. ROLL CALL

Present: Jill Stanford, Matt Daniels, Karen McKinney, Holly De Hamer, Ethan Roos, John Botts,

Absent: none

II. APPROVAL OF AGENDA

McKinney moved – Daniels second – unanimously approved

III. CONSENT ITEMS

November 17th, 2020 Meeting Minutes

Botts Motioned to accept meeting minutes with changes – McKinney Second

Vote: unanimously approved

Changes:

II. Approval of Agenda: approval of agenda was not voted on. Botts Motioned to approve agenda –Stanford second – unanimously approved

V. Action: A. Kum & Go Site Plan: vote was unclear. Stanford motioned to revote on approval of the site plan—Daniels second -- unanimously approved

McKinney, Roos, Botts Approved. Stanford, Daniels, De Hamer abstained for reasons listed in the meeting minutes. Motion passed 3-0.

IV. PUBLIC COMMENT

V. ACTION/DISCUSSION

A. Roth Plat, Parcel F (2197 Delaware Street)

John motioned to approve the plat McKinney second – unanimously approved

B. Candidate for Board – M. Squier

Daniels motioned to approve – Botts seconds – unanimously approved

C. Schedule Work Sessions with Cameron

Email questions ahead of time to Cameron.

Scheduled work session 7PM January 7th

D. Comprehensive Plan 2021

VI. Public Comment

VI. Upcoming Planning A Zoning Meeting

A. Regular meeting January 26, 2020 at 7:00 P.M. at City Hall

VII. ADJOURN:

McKinney moved – Botts second – unanimously approved –Adjourned 7:56PM

memo

To: Planning & Zoning Commission
From: Angie Ritchie, City Clerk
Date: January 15, 2021
Re: Truck Route

The City Council of Cumming, Iowa met on the 14th day of December and requested the following item go to the P&Z Commission for discussion/action: Designated Truck Route. A look at N. Cattail Creek was mentioned by at least one Council Member.

66.05 TRUCK ROUTES.

Truck route regulations are established as follows:

1. Truck Routes Designated. Every motor vehicle weighing 10,000 pounds or more, when loaded or empty, having no fixed terminal within the City or making no scheduled or definite stops within the City for the purpose of loading or unloading shall travel over or upon the following streets within the City and none other:

(Code of Iowa, Sec. 321.473)

Code of Iowa States:

1. MOTOR VEHICLES AND LAW OF THE ROAD, §321.473 321.473

Limitations on trucks by local authorities.

1. Local authorities with respect to highways under their jurisdiction may also, by ordinance or resolution, prohibit the operation of trucks or other commercial vehicles, or may impose limitations as to the weight thereof, on designated highways, which prohibitions and limitations shall be designated by appropriate signs placed on such highways.
2. Local authorities may issue special permits, during periods such restrictions are in effect, to permit limited operation of vehicles upon specified routes with loads in excess of any restrictions imposed under this section, but not in excess of load restrictions imposed by any other provision of this chapter, and such authorities shall issue such permits upon a showing that there is a need to move to market farm produce or to move to any farm, feeds or fuel for home heating purposes.
3. a. A person who violates the provisions of an ordinance or resolution adopted pursuant to subsection 1 shall, upon conviction or a plea of guilty, be subject to a fine determined by dividing the difference between the actual weight and the maximum weight established by the ordinance or resolution by one hundred, and

memo

multiplying the quotient by two dollars. b. The fine for violation of a special permit issued pursuant to subsection 2 shall be based upon the difference between the actual weight of the vehicle and load and the maximum weight allowed by the permit in accordance with section 321.463. [C39, §5035.22; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §321.473] 83 Acts, ch 131, §1; 98 Acts, ch 1178, §8; 2010 Acts, ch 1061, §180; 2013 Acts, ch 49, §1

memo

To: Planning & Zoning Commission
From: Angie Ritchie, City Clerk
Date: January 15, 2021
Re: Food Truck Application/License Fees

The City Council of Cumming, Iowa met on the 14th day of December and requested the following item go to the P&Z Commission for discussion/action: Food Truck Application Fees

Our current code (link below) indicates application and license fees will be set by Resolution however no fees have been discussed or set. (With the exception of the Transient Merchant Permit Fees which are below.)

Under the current Ordinance most food trucks (that have visited Cumming in the last year) have been on private property and therefore fall under the Peddlers, Solicitors and Transient Merchants permits. These require a 200 bond on file with the Clerk (held for a minimum of four months after the expiration of the permit) in addition to \$25.00 per person per day fee along with fees that they pay the exhibitor. The City fees were waived all but a one-time fee of \$25.00 per person this last season while we worked on our Ordinances.

City of Cumming Code:

https://codelibrary.amlegal.com/codes/cumming/latest/cumming_ia/0-0-0-2384

City of Norwalk Fees:

Chapter 126 - Mobile Food Vendors 1-3 Day License - \$75.00 1 Year License (starting January 1) - \$250.00

Also Note: Norwalk Transient Merchant Fees are \$25.00 per day with a \$20.00 refundable bond compared to our \$200.00 bond.

Indianola's Food Truck Fees:

One Day \$50.00

One Week \$100.00

For up to six months \$200.00

For over six months to one year \$300.00

memo

To: Planning & Zoning Commission
From: Angie Ritchie, City Clerk
Date: January 15, 2021
Re: Seasonal/Special Events

The City Council of Cumming, Iowa met on the 14th day of December and requested the following item go to the P&Z Commission for discussion/action: Seasonal/Special Events

There is no current code that applies to seasonal or special events apart from activities at the park or shelter area.

Upon review of Ordinances of nearby cities such as Norwalk and Pella they require the following:

- Fee payment (\$20 for a single event or \$75 for a seasonal event)
- Insurance certificate (\$1,000,000 liability listing the City as an additional insured for the event)
- Map of the City property to be used

Norwalk Code:

https://codelibrary.amlegal.com/codes/norwalkia/latest/norwalk_ia/0-0-0-3699

Pella Code:

https://codelibrary.amlegal.com/codes/pella/latest/pella_ia/0-0-0-3318

memo

To: Planning & Zoning Commission
From: Angie Ritchie, City Clerk
Date: January 15, 2021
Re: Comprehensive Plan

It was requested by the Planning and Zoning Commission Chair for a review of the following: Comprehensive Plan

At the December 15, 2020 P&Z meeting the updating of the comprehensive plan was discussed with possible bicycle friendly community elements. The following are some items for possible discussion:

Iowa Bicycle Summit – January 28-30, 2021 – online

“For more than 15 years, the Iowa Bicycle Summit has been educating planners, engineers, and community officials about building better bike infrastructure. Get ready for an expanded 2021 Iowa Bicycle Summit with sessions for bicyclists, advocates, and much more.”¹

<https://iowabicyclesummit.com/>

Iowa City Bicycle Infrastructure Projects - 2020

<https://www.icgov.org/news/city-introduces-several-bicycle-infrastructure-projects-2020>

Iowa City Bicycle Master Plan (Public Education)

<https://www.icgov.org/project/iowa-city-bicycle-master-plan>

Copenhagen – Video at the beginning of the article displays some of their bicycle friendly infrastructure.

<https://www.latimes.com/world-nation/story/2019-08-07/copenhagen-has-taken-bicycle-commuting-to-a-new-level>

Seattle, Washington is well known to be a top bicycling community. Below is a link to their Ordinances for your to review including construction of protected bicycle lanes.

https://library.municode.com/wa/seattle/codes/municipal_code?nodeId=TIT15STSIUS_SUBTITLE_IIMACO_CH15.80COPRBILA

¹ <https://iowabicyclecoalition.org/iowa-bicycle-summit-request-for-speakers/#:~:text=About%20the%20Iowa%20Bicycle%20Summit,%2C%20advocates%2C%20and%20much%20more.>