

Planning and Zoning Meeting – Regular Meeting January 11, 2022

Chairman Tony Randall called the meeting to order at 7:00 p.m. at Hartford City Hall with the following planning and zoning members present: Tim Graham, Stacey Kutil, Michelle Kilbourn, Steve Nolte, and Brad Miles via phone. Mark Anderson was absent with notice. City Administrator Teresa Sidel, Public Works Superintendent Craig Wagner, Chamber and Economic Development Director Amy Farr and Building Inspector Paul Clarke were also present. There were 2 people from the public present.

Approve Agenda: A motion was made by Kutil, second by Kilbourn to approve the agenda as set - all voted yes, motion carried.

Approval of the Minutes: The December 14, 2021, meeting minutes were reviewed. A motion was made by Graham, second by Miles to approve the December 14, 2021, meeting minutes – all voted yes, motion carried.

Hearings/Petitions/Applications:

- **7:05 Public Hearing – Amend Zoning Regulations for Accessory Buildings:** The Board has discussed exempting certain buildings due to small size from the city’s requirements for accessory buildings. Currently there is no minimum square footage stated in our regulations for an accessory building so all accessory structures are subject to the regulations. Members have reviewed our regulations, researched building sizes and came to the consensus that any accessory structure that is under 25 square feet and under 8 feet high should be exempt for the city’s permitting and certain zoning regulations. Ordinance #723 incorporates those changes. A motion was made by Nolte, second by Kutil to recommend approval of ordinance #723 to the city council – all voted yes, motion carried.
- **7:10 Public Hearing – Rezone North ½ of Lot 6, Block 7 of Western Meadows Addition:** Dakota Cannabliss has submitted an application and would like to rezone the north ½ of Lot 6, Block 7 of Western Meadows Addition from Light Industrial to Community Commercial for the purpose of erecting a Cannabis Dispensary on the north portion. Dakota Cannabliss submitted 3 applications to the city for cannabis establishments – 1 for Cultivation, 1 for manufacturing and 1 for a dispensary. They plan to purchase all of Lot 6 and have the cultivation and manufacturing establishments within one building on the south 1/2 of the lot and then have the dispensary on the north 1/2 of the lot. The cultivation and manufacturing licenses were approved by the city council on December 21, 2021, since they meet all our zoning regulations. The city regulations only allow dispensaries in community commercial zones, so their dispensary application was put on hold until they go through the rezone process for the north ½ of this lot. It was noted by the Board that this rezone is a less intensive use and that there are already retail businesses within this light industrial area. A motion was made by Kutil, second by Kilbourn to recommend the rezone of the north ½ of Lot 6 (proposed Lot 6A), Block 7 of Western Meadows Addition from Light Industrial to Community Commercial – all voted yes, motion carried.

Visitors:

- **Tim Hoekman-Discuss Condo Storage Units:** Tim Hoekman approached the city inquiring about storage units. Hoekman could not attend the meeting but his realtor, Stacey Sieverding, was present to address questions from the Board. It was asked if the city would allow the placement of a storage building that allows each unit to be sold off to separate owners verses renting the units. Sieverding noted that the units will have separate utility services, firewalls between each unit, no living quarters and no retail businesses. Discussion was held as to if the units would be platted off separately (land & building) or if it would be set up as a condo situation with a unit being owned by one party and the land and common area being owned by another party. It was indicated that Mr. Hoekman is looking at individually plotting the units and then have an association be responsible for the care and maintenance of the surrounding common ground. Current city regulations do not have verbiage that allows for the separation of units within one building by a common wall for re-sale purposes in community commercial districts. It was the consensus of the Board to bring back proposed changes to our zoning regulations which would allow the division of units within a common building for resale purposes within commercial and industrial zones.

New Business:

- **Review 2021 Significant Changes to International Building Codes:** The City currently uses the 2018 international building codes for building within the city, but the 2021 international building codes are the most recent edition. Sioux Falls, Minnehaha County, and surrounding municipalities have adopted or in the process of adopting to the 2021 codes, so Hartford needs to consider following suit in order to promote consistency for our contractors/inspectors and keep up with current building practices. There are 6 codes that need updating – Residential, Commercial Building, Existing Buildings, Property Maintenance,

Swimming Pools and Fire. The Board reviewed significant changes from the 2018 to the 2021 code with our building inspector and discussed some of the proposed amendments. Ordinances reflecting the code updates will be presented to the Board at their next meeting on January 25th.

- **Certificate of Appointments:** Mark Anderson, Brad Miles and Steve Nolte were re-appointed by the mayor to serve an additional 2-year term on the Planning and Zoning Board to run from January 2022 to the end of December 2023.
- **Election of Chairman for 2022:** Randall called for 2022 Chairman nominations from the Board. Kilbourn nominated Tony Randall for the 2022 Planning and Zoning Chair, nomination was second by Graham. Nolte made a motion to cease nominations and cast a unanimous vote for Randall as the 2022 Planning and Zoning Chairman, second by Kutil – all voted yes, motion carried.
- **Election of Vice-Chairman for 2022:** Randall called for 2022 Vice-Chairman nominations from the Board. Graham nominated Brad Miles for the 2022 Planning and Zoning Vice-Chair, nomination was second by Kutil. Nolte made a motion to cease nominations and cast a unanimous vote for Brad Miles as the 2022 Planning and Zoning Vice-Chairman, second by Kilbourn – all voted yes, motion carried.

Updates:

- **Building Inspector Update:** Building Inspector Paul Clarke provided his December building inspection reports and updated the Board on open building permits. There are currently 20 open single-family homes in various stages of construction, along with 2 twin home. Commercial activity includes Review of plans for West Central remodel, inspection of West Oaks efficiency apartment, and oversee of building repairs/rebuild in Western Meadows Addition.
- **City Administrator Updates:**
 - Code Enforcement – A copy of December’s code enforcement report was provided to the Board. The city has hired Kyle Christensen as our new building inspector/code enforcer – his starting date with the city will be January 31st. Paul Clarke will stay on with the city to help train and mentor.
 - WWTF – The city’s SRF loan application and facility plan have been finalized and will be sent to the state before the end of the year. The next step will be to move forward with design work in 2022.
 - Western Ave Industrial Sewer Main – The plans for the Western Avenue Sewer Project have been completed and bids were opened on December 14th. There were 7 bids with Siteworks being the low bid.
 - Sports Complex – Work continues on the 2 east fields. Additional ag-lime is being placed and fencing is being put up. City Council has approved ISG to move forward with design work on the storm shelter.
 - Cannabis Establishments – The city council has approved 2 dispensary applications, 2 cultivation applications and 1 manufacturing application.
 - Community Plan – ISG is working on a final presentation of the city-wide community plan. A meeting is being planned for some time in February.
 - TIF Districts – City Attorney, Tom Frieberg will be presenting a short-overview of tax increment financing (TIF) district to the city council on January 18th. The P&Z Board was encouraged to attend since they play a significant role in establishing any TIF districts.

Adjournment: A motion was made by Miles, second by Kutil to adjourn at 8:23p.m. – all voted yes, motion carried.

Minutes recorded by City Administrator, Teresa Sidel.

I, the undersigned, Teresa Sidel, City Administrator, in and for the City of Hartford, South Dakota, do hereby certify that the above and foregoing is a true and correct copy of the minutes which is on file at Hartford City Hall.

Teresa Sidel, City Administrator