

PLANNING AND ZONING AGENDA
TUESDAY, FEBRUARY 28, 2023
CITY HALL - 7:00 P.M.

1) ROLL CALL

Mark Anderson, Tim Graham, Stacey Kutil, Michelle Kilbourn, Troy Jackson, Brad Miles, and Tony Randall

2) APPROVAL OF THE AGENDA

3) APPROVAL OF MINUTES

- January 10, 2023 Meeting

4) PUBLIC COMMENTS

Action cannot be taken on items discussed unless specifically listed elsewhere on the agenda

5) NEW BUSINESS

- Zoning Regulations – Codify or Full Review?
- Sub-Division Regulations – Codify or Full Review?
- Design Standards – Possible Amendments
- Discuss Possible Fees on Placement Permits
- Discuss Meeting Cancellation Policy

6) UPDATES

- Building Inspector Update – Paul Clarke
- Building Inspector/Code Enforcer Update – Kyle Christensen
- City Administrator Updates – Teresa Sidel

7) ADJOURNMENT

Next Planning & Zoning Meeting: March 14, 2023

Planning and Zoning Meeting – Regular Meeting January 10, 2023

Chairman Tony Randall called the meeting to order at 7:00pm at Hartford City Hall with the following planning and zoning members present: Mark Anderson, Tim Graham, Stacey Kutil, and Michelle Kilbourn. Troy Jackson and Brad Miles were absent with notice. City Administrator Teresa Sidel, Building Inspector Paul Clarke and Building Inspector/Code Enforcer Kyle Christensen were also present. No public was present.

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

Approval of the Minutes: The December 17, 2022, regular meeting minutes were reviewed. A motion was made by Kilbourn, second by Graham to approve the December 17, 2022, regular meeting minutes – all voted yes, motion carried.

Old Business:

- **Continue Review of the City’s 2017-2027 Comprehensive Plan:** In order to allow zoning, state law requires that the city adopt a comprehensive plan and file it with the county. The plan acts as a guide for future growth and planning. The city adopted our most recent plan in 2017 but it is reviewed every 5 years to keep it updated to ever changing development. Sean Hegyi with SECOG has been helping the city through this process. Hegyi was present to review chapter 1-4 with the Board. The Board reviewed various demographic data in chapter 1, Environmental constraints in Chapter 2, infrastructure assessment in chapter 3, and school projections in chapter 4. Comments from the Board will be incorporated into the plan by SECOG, and additional discussion will continue at future meetings.

New Business:

- **Certificate of Appointments:** Tony Randall, Stacey Kutil, Tim Graham, and Michelle Kilbourn were re-appointed by the mayor to serve an additional 2-year term on the Planning and Zoning Board to run from January 2023 to the end of December 2024. Congratulations and Thank You for their continuing service.
- **Election of Chairman for 2023:** Randall called for 2023 Chairman nominations from the Board. Anderson nominated Tony Randall for the 2023 Planning and Zoning Chair, nomination was second by Kilbourn. Anderson made a motion to cease nominations and cast a unanimous vote for Randall as the 2023 Planning and Zoning Chairman, second by Graham – all voted yes, motion carried.
- **Election of Vice-Chairman for 2023:** Randall called for 2023 Vice-Chairman nominations from the Board. Kilbourn nominated Brad Miles for the 2023 Planning and Zoning Vice-Chair, nomination was second by Kutil. Graham made a motion to cease nominations and cast a unanimous vote for Brad Miles as the 2023 Planning and Zoning Vice-Chairman, second by Kutil – all voted yes, motion carried.

Updates:

- **Building Inspector Update:** Building Inspector Paul Clarke was present to provide an update on building projects to the Board. There are currently 10 open single-family homes in various stages of construction, along with 1 twin home. Clarke also gave a recap of current commercial permits that are still open and noted that the city is reviewing plans for an addition to the Hartford elementary school. Randall asked Clarke to inspect the property at 900 Ruud Lane.
- **Building Inspector/Code Enforcer Update:** Kyle Christensen was present and gave the Board an update on code enforcement issues that he is addressing within the city at this time. Recently, he has addressed 2 blowing snow in the street violations. Christensen and Clarke are working on updating the city’s Knox Box list and ensuring required businesses are up to date with our ordinance.
- **City Administrator Update:**
 - 6th/Mundt St project - Project is substantially complete. There are several minor items that need to be addressed and seeding will be placed in the spring.
 - Water Tower Painting – This project is substantially completed, and the tower is back on-line. Maguire Iron will be back in the spring to paint the new city logo on the tower.
 - Bike Trail – The city is still trying to work through easement issues on the NE side of the proposed trail. A new owner took possession of the property on 12/15 so the city will contact to discuss an easement.
 - Highway 38 Extension – ISG completed plans to extend water along Railroad Street and Colton Road. The plans were approved by the city council, and we hope to advertise for bids on the project on 2/16.
 - Western Ave Expansion – A full traffic study has been conducted and ISG continues to work on plans.
 - WWTF – ISG is working on plans for the new WWTF, along with our new CMAR Rice Lake. Regionalization talks also continue with surrounding communities. A community-wide meeting was held on 9/7 to explain the project and associated costs.
 - Summit Carbon Solutions – A summary of this project was presented to the city council and can be found on the city’s website.
 - Snow Removal Efforts – The public works staff have been and will continue to address snow removal issues. After the recent large snowfall event, the city’s priority was to open the driving lane for the city and alleys, then work on clearing

intersections, and then city sidewalks and trails. The city will be working on removing the piled snow from various intersections throughout town, but this will be a long process. The county plans to remove some of the piled snow from N Western Avenue starting Wednesday, 1/11.

- Cannabis Licenses – The city has renewed licenses from Unity Road and Grow Farms. Other licenses are up for renewal this coming month.

Adjournment: A motion was made by Kilbourn second by Anderson to adjourn at 8:05pm – 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



Agenda Item Staff Report

DATE: February 28, 2023

AGENDA ITEM: Zoning Regulations – Codify or Full Review

PREPARED BY: Teresa Sidel, City Administrator

Staff Recommendation: Discussion Only

Background/Summary:

Zoning regulations refer to specific rules and regulations for pieces of land divided into “zones” by the city. A zoning ordinance dictates acceptable methods of land use for real property inside zoning districts. The city adopted our current zoning ordinance (Ordinance 627) in 2016. Every 5 years the city tries to review our ordinances and see if any revisions or updates need to be incorporated. So, in 2021 the city did an amendment to this ordinance, which incorporated changes to the zoning ordinance that were passed by the city from 2016-2021. The 2021 amendment just incorporated changes passed by the city between 2016 and 2021 – it was not a full review of each chapter of the ordinance. It’s only been a couple of years since our 2021 amendment but there have been 6 ordinances that have passed since 2021 that incorporate changes to our zoning regulations. At this time, I do have one item that I think the board should discuss (adding Airbnb to our residential zoning) but this can be done through an amendment and does not need a full review.

There are 3 things the board can do at this time.

1. Codify our zoning ordinance, which would just incorporate the changes made by the 6 ordinances that have passed between 2021 to date.
2. Complete a full review of our zoning regulations, which entails the board reviewing each chapter and implementing any changes you see fit.
3. Do nothing at this time. Since an amendment was just completed in 2021, we wait until 2026 to do a full review.

Depending on how the board would like to proceed, I can gather additional information and discuss further at a future meeting.

Prior Council/Board Action:

- The City adopted our current zoning regulations in 2016 but amended them in 2021. Since 2021 there have been 6 amendments that have passed.

Possible Action:

- Discussion Only at this point – No action required or recommended. Only direction for staff.

Fiscal Impact:

- None

Attachments:

- None



Agenda Item Staff Report

DATE: February 28, 2023

AGENDA ITEM: Sub-Division Regulations – Codify or Full Review

PREPARED BY: Teresa Sidel, City Administrator

Staff Recommendation: Discussion Only

Background/Summary:

The city adopted our current sub-division ordinance (Ordinance 653) in 2018. Our sub-division regulations set the procedure for developers on how to submit concept plans, development plans and plats. Every 5 years the city tries to review our ordinances and see if any revisions or updates need to be incorporated. So, we are on track to do a review here in 2023. The city did pass an ordinance amendment in 2020, which changed a few sections. This ordinance, ordinance #691, is the only ordinance amendment passed since 2018. At this time, I do have a few items that I would like to discuss with the board about possible changes: 1) Consequences for not developing to plan; 2) Consequences for not finishing punch list items in a timely manner; 3) Increase park land dedication fee.

There are 3 things the board can do at this time.

1. Codify our sub-division ordinance, which would just incorporate the changes made by the 2018 ordinances amendment.
2. Complete a full review of our sub-division regulations, which entails the board reviewing each chapter and implementing any changes you see fit.
3. Do nothing at this time. Since an amendment was just completed in 2020, we wait until 2025 to do a full review.

Depending on how the board would like to proceed, I can gather additional information and discuss further at a future meeting.

Prior Council/Board Action:

- The City adopted our current sub-division regulations in 2018. Since 2018 there has been 1 ordinance amendment that has passed.

Possible Action:

- Discussion Only at this point – No action required or recommended. Only direction for staff.

Fiscal Impact:

- None

Attachments:

- None



Agenda Item Staff Report

DATE: February 28, 2023

AGENDA ITEM: Design Standards – Possible Amendments

PREPARED BY: Teresa Sidel, City Administrator

Staff Recommendation: Discussion Only

Background/Summary:

The city's design standards are not ordinances but regulations that the city adopts that set the minimum specifications for development of streets, sewer, water and storm sewer. It spells out specification of materials, placement, size, products, etc. The city updated our design standards in 2021 when ISG came on as the city engineer. At that time ISG and city staff reviewed the current regulations and incorporated a few changes that were adopted by the city. There are a couple of possible amendments that I would like the board to discuss and consider: 1) Require developers to provide easements to property line for future connections; 2) Possible changes on sidewalk regulations.

If the board is open to looking at these changes, I will gather additional information for a future meeting.

Prior Council/Board Action:

- The City's current design standards were adopted in 2021.

Possible Action:

- Discussion Only at this point – No action required or recommended. Only direction for staff.

Fiscal Impact:

- None

Attachments:

- None



Agenda Item Staff Report

DATE: February 28, 2023

AGENDA ITEM: Discuss Possible Fees on Placement Permits

PREPARED BY: Teresa Sidel, City Administrator

Staff Recommendation: Discussion Only

Background/Summary:

Currently the city requires placement permits on fences and accessory buildings under 120 sq feet. There is no cost for these permits. When the placement permits were originally implemented, fence in 2010 and sheds in 2012), the idea was just to get property owner to pull a permit so the city can review our regulations and ensure property placement. To encourage them to get a replacement permit, no fee was attached to it. Now that the city has had this permit requirement in place for a few years, do we want to look at attaching a fee to the permit. At the very least it will help cover the administrative cost of processing the permit and inspection costs associated with the project.

If the board would like to look into possibly charging a fee, I will gather additional data (fees from other communities) so we can discuss further.

Prior Council/Board Action:

- None

Possible Action:

- Discussion Only at this point – No action required or recommended. Only direction for staff.

Fiscal Impact:

- None

Attachments:

- None



Agenda Item Staff Report

DATE: February 28, 2023

AGENDA ITEM: Discuss Meeting Cancellation Policy

PREPARED BY: Teresa Sidel, City Administrator

Staff Recommendation: Discussion Only

Background/Summary:

Just want to have a quick discussion on when we should or should not cancel future meetings. The P&Z by-laws do not address meeting cancellations, so just wondering if we should put some type of policy in place or at least set some type of guideline for staff.

Prior Council/Board Action:

- None

Possible Action:

- Vet Boards preference on when to cancel P&Z meetings.

Fiscal Impact:

- None

Attachments:

- None

JANUARY 2023 BUILDING INPSECTION LOG

<u>Date</u>	<u>Address</u>	<u>Permit #</u>	<u>Type</u>	<u>Status</u>	<u>Comments</u>
1/2/2023	507 Sagehorn Drive	2022-202	bld	framing	lower level approved
1/2/2023	310 Maple Avenue	2022-154	bld	framing	detached garage
1/2/2023	805 Turtle Creek Cr	2022-108	bld	Status	finish work
1/2/2023	704 N. Western	2022-171	bld	pre final	signage review
1/2/2023	310 N. Maple Ave	2022-152	bld	Status	main apt. building
1/7/2023	208 W. South Street		bld	Status	new cannabis site
1/7/2023	511 N. Mundt	2022-181	bld	Status	progress check
1/7/2023	1820 N. Western ave	2022-182	bld	Status	progress check
1/7/2023	200 Duck Trail	2022-193	bld	Status	rough framing underway
1/9/2023	704 Western Ave	2022-171	bld	final	closed out permit
1/10/2023	900 Ruud Lane	2022-188	bld	Status	checked on job
1/11/2023	507 Sagehorn Drive	2022-202	bld	Status	reviewed code issues with GC
1/12/2023	900 Ruud Lane	2022-188	bld	Status	reviewed job status
1/14/2023	805 Opal Lane	2022-145	bld	Status	new house check
1/14/2023	2010 N. Western	2022-107	bld	Status	commercial review
1/14/2023	207-209 Duck Trail	2022-91	bld	Status	twin house check
1/14/2023	404 N. Mundt av	2022-42	bld	Status	detached garage update
1/14/2023	1182 Ruud Trail	2022-21	bld	Status	interior final work
1/14/2023	1159 Ruud Trail	2022-59	bld	Status	review final items
1/16/2023	705 E. 2nd Street	2022-17	bld	pre final	press box & receiving area
1/20/2023	301 W. 6th street	2022-25	bld	Status	garage work
1/21/2023	1021 Diamond Cr	2021-77	bld	Status	church work
1/21/2023	504 W. Opal Lane	2021-1	bld	Status	house work
1/21/2023	1159 Ruud Trail	2022-59	bld	final	closed out permit
1/21/2023	805 W. Opal Lane	2022-146	bld	Status	rough framing underway
1/21/2023	800 W. Opal Lane	2022-36	bld	Status	rough framing underway
1/21/2023	310 Maple Avenue	2022-153	bld	Status	rough framing underway
1/23/2023	208 W. South Street		bld	status	met with owner
1/26/2023	804 Turtle Creek	2022-114	bld	Status	new house check
1/27/2023	305 W. 7th street	2022-194	bld	Status	residing job
1/28/2023	1182 Ruud Trail	2022-200	bld	Status	lower level check
1/28/2023	507 Sagehorn Drive	2022-202	bld	Status	finish work
1/28/2023	302 W. 3rd street	2022-107	bld	Status	residing job
1/30/2023	900 Ruud Lane	2022-188	bld	Status	apartment framing
1/31/2023	1820 N. Western ave	2022-182	bld	Status	new comm bld

JANUARY 2023 CODE REPORT

ADDRESS	DATE	DEADLINE/FOLLOWUP	CODE TYPE	REASON	SOURCE	CLOSED?	COMMENTS
106 W 1st St	1/4/2023	1/20/2023	Municipal	Blowing Snow on Street	S	Yes	Letter sent on 1/4 for complaint of blowing snow into the alley.
405 Mulligan Circle	1/4/2023	1/20/2023	Municipal	Blowing Snow on Street	S	Yes	Letter sent on 1/4 for complaint of blowing snow onto the street.
109 W Opal Lane	1/12/2023	1/26/2023	Municipal	Inoperable Vehicles	R	Yes	Letter and Email sent on 1/12 for potential inoperable vehicles in the driveway. Talked to owner and he assured me the vehicles were drivable, just need new tags.
523 Kia Dr	1/24/2023	2/7/2023	Municipal	Parking Prohibited in Certain Places	R	Yes	Received phone call complaint on 1/24 about a truck blocking the intersection and called Dispatch to handle since it's a street violaton. Update: Deputy talked to homeowner and owner moved vehicle.
510 N Main Ave	1/26/2023	2/3/2023	Municipal	No Pet License/Running at Large	R	No	Letter sent on 1/26 for reported dog running at large and unregistered pets.
405 N Oaks Ave	1/26/2023	2/10/2023	Municipal	Parking on Grass	S	No	Letter sent on 1/26 for car parked on the grass.
209 N Main Ave	1/31/2023	2/16/2023	Municipal	Parking on Grass	S	No	Letter with \$50 fine sent on 1/31 for truck parked on grass. A letter was sent a month ago for a tractor parked in the same spot.
510 S Eastern Ave	1/31/2023	2/16/2023	Municipal	Snow on Sidewalks	S	No	Letter sent on 1/31 as a reminder of the snow on sidewalk policy. Owner called on 2/2 and said snowblower is currently in the shop and will get sidewalk done as soon as possible.

R=RESIDENT
S=STAFF

City Administrator Update

February 28, 2023

Updates:

- **Comprehensive Plan:** Sean with SECOG was scheduled to attend our 2/28 meeting but due to the weather this last week, he was forced to make some changes to his schedule. But, in order to keep us on track, he plans to attend both of the P&Z March meetings.
- **City Projects (changes in red):**
 - **Bike Trail:** –The initial layout for the new trail between Main Ave and Feyder Ave shows the area between the creek and the city’s property line is pretty narrow along the NE portion of the trail. Craig has met with the property owner at the NE corner of the trail to try and secure an easement for the trail. Initial talks about granting an easement were positive but when they talked again this last week, we found out that the current property owner is going to sell his property and he isn’t willing to sign an easement for the trail – he wants the city to work with the new owner. With that being said, we did not know if we could get an easement to place the trail on the north side of the creek until the property sold and we talked with the new owner. The grant deadline is Dec 31, 2023. **The property for the needed easement was sold and staff talked with the new property owner. They indicated that they would grant an easement, if the city would put up a fence along their south property line. Unfortunately, this is in the floodplain and fences are not allowed. We offered placing shrubs or some type of vegetation, along with signage about private property and keeping pets on leashes but they ultimately decided not to grant the easement. I have talked with the GFP about this issue and now our engineers are working on a revised plan to submit for the grant. Hope to get some input on if this project is a go or no-go within the month.**
 - **6th & Mundt Street** – Project is substantially complete, with a few punch list items and some seeding, restoration and painting to be done in the spring.
Water Tower Painting – Contractor has completed the project but will return in the spring to paint the logo on the tower (cost approx. 13,800). At this point, the school has decided not to have their logo placed on the tower. If they change their decision before next spring, we can also still add it.
 - **Hwy 38 Water Main Extension** – The city council previously approved plans to have ISG work on a design for a water extension that will run along Railroad Street & S Colton Road. The plans were presented to the city council and approved for bid. We are hoping to bid on Feb 16th and have bids presented to the city council by Feb 21st.
 - **Western Avenue Expansion** - A full traffic study has been conducted and ISG continues to work on plans.
 - **WWTF** -
 - ISG is working on the design of the WWTF, along with our new CMAR – Rice Lake. Weekly meetings are being held between staff, ISG and Rice Lake to continue to work on the design. We hope to have an update for the council by mid-January.
 - The council continues to look at regionalization – a presentation went before the county commission on 10/18 hoping to gain support for the regionalization project. The county made no commitments but is open to future conversations. The state has also been approached regarding funding for a conveyance line to Hartford, but no commitments have been made and it sounds like there are limited state resources for funding.
 - Public meeting held on 9/7 to explain the project – About 15 people from the public. Info is on city website. A surcharge of \$26 per account will be implemented for loan repayment with the January usage, which is technically the Feb 1st billing. Additional information will be placed on the city website, in our electronic newsletter, and a short message will be put on the water bill.
- **Stockwell Projects (no change):**

- 9th Street – 2 items still need to be addressed by the contractor – Zacharias Construction. They have been notified and said they will be completed before the year end. Then we can close out this project.
- Western Sewer Project: A walk through was conducted on 7/20 with staff, Stockwells, and the state. A second walk through was conducted about 3 weeks ago. A list of punch list items was sent to the contractor to be addressed. Final payment will not be granted until all punch list items are completed to the city's satisfaction. (We were notified that the township building was repaired)
- **Summit Carbon Solutions:** The city attorney, engineer, mayor and I all met with representatives from Summit Carbon Solution to discuss placement of the proposed carbon pipeline. Since the pipeline is not within city's jurisdiction there isn't a lot the city can do one way or the other about the pipeline but the Summit representatives that were present provided a lot of information to us and were open to working with our engineers to allow crossing for future roads and utilities so the city can continue to expand west. A summary of information on this subject was in the 12/3 city council packet and is available at city hall. The PUC has set the hearing dates for this application for September 11-29th. **SCS petitioned the PUC to move the hearing dates up, but this was denied by the PUC so the hearings are still set for September and a final decision on their application must be made by 11/15/23. Our engineers have been working with SCS to determine street and utility crossing and correct depths of piping so we can expand west.**
- **PDM Plan:** Every 5 years Lincoln and Minnehaha County, along with the communities within the county, need to review and update their Pre-Disaster Mitigation Plan. Having a current Pre-Disaster Mitigation Plan allows the county and communities to apply for federal aid in times of disaster. If we do not or choose not to participate in this process, we are not eligible for federal aid in the event of a flood, tornado, etc. A five-year review is just beginning, and an initial meeting was held in February. I attend the second meeting, which was held on 2/16. Once a new plan is drafted, the public and city will have a chance to review and provide input.
- **Downtown Hartford:** Sandy Dean was in last week and dropped off a flyer about Bob Yapp's assessment of the buildings downtown. Bob Yapp will be in town on May 6th and will complete a tour from 3-5pm of our downtown buildings. There will then be an event at the Methodist Church from 7-9pm that night that is open to the public to gather additional information and provide information on preservation programs.

Along with Bob Yapp's assessment, the Hartford Downtown group came to the council last week to ask to pursue a plan for temporary "bump-out" at the intersection of 1st and Main. A walking audit of the downtown area was conducted last summer, and one issue identified is traffic speed within downtown and particularly on Main Avenue. Although the speed limit is set at 15mph, it seems like traffic tends to go 5 to 10 mph over this. A suggestion to slow down the speed along Main Avenue is to install bump outs at the intersections in the downtown commercial area. In order to evaluate the effectiveness of bump outs, the city can initially place temporary bump-outs using paint, traffic cones, removable bollards, etc. – materials that are low cost and easily removable. Temporary bump outs would allow the city to gather data and evaluate the pros and cons of permanent bump outs. To move forward with temporary bump outs, a plan that addresses exact placement, materials, costs (and who is paying for them), timeframe, etc. still needs to be formulated. Callie Tuschen with DHI asked for council approval to work on developing this plan. This was approved and she will present the plan for council review in April.

Please call if you have any Question: 528-6187 or 605-261-3995