

PLANNING AND ZONING AGENDA
TUESDAY, APRIL 26, 2022
CITY HALL - 7:00 P.M.

- 1) ROLL CALL
Mark Anderson, Tim Graham, Michelle Kilbourn, Stacey Kutil, Brad Miles, Steve Nolte, Tony Randall

- 2) APPROVAL OF THE AGENDA

- 3) APPROVAL OF MINUTES
 - April 12, 2022 Meeting

- 4) PUBLIC COMMENTS
Action cannot be taken on items discussed unless specifically listed elsewhere on the agenda

- 5) HEARINGS/PETITIONS/APPLICATIONS/ORDINANCES

- 6) NEW BUSINESS
 - Review/Discuss Proposed Zoning Ordinance Change on Maximum Building Heights within Zoning Districts

- 7) UPDATES
 - Building Inspector Update – Report Provided
 - Code Enforcer Update – Kyle Christensen
 - City Administrator Updates – Teresa Sidel

- 8) ADJOURNMENT

Next Planning & Zoning Meeting: May 10, 2022

Planning and Zoning Meeting – Regular Meeting April 12, 2022

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, Michelle Kilbourn, Stacey Kutil, Brad Miles, and Steve Nolte. City Administrator Teresa Sidel, Building Inspector Paul Clarke, and Building Inspector/Code Enforcer Kyle Christensen, City Attorney Tom Frieberg, and Chamber and Economic Development Director Amy Farr were also present. There was 1 person from the public present.

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

Approval of the Minutes: The March 22, 2022, regular meeting minutes were reviewed. A motion was made by Miles, second by Anderson to approve the March 22, 2022, regular meeting minutes – all voted yes, motion carried.

Public Comments: No public comments were received on non-agenda items.

Hearings/Petitions/Applications/Ordinances:

- **7:05 Conditional Use Hearing:** Dylan Peterson of 751 Shamrock Drive has submitted a conditional use application to the city asking to allow a 1,144sf accessory building. Current city regulations only allow the maximum size of an accessory building of 1,000sf unless a conditional use permit is approved by the Planning & Zoning Board. Mr. Peterson owns the lot at 751 Shamrock Drive and the lot to the north – these 2 lots have just been platted into one lot. Mr. Peterson's plans include the placement of an in-ground pool and a 1,144sf accessory building to be used as a pool house. Mr. Peterson was present to address questions from the Board. The structure will meet all setback requirements, material requirements, and will not be within a drainage easement. Peterson also indicated that he has not received any negative comments from his neighbors. Due to the double lot area, staff is recommending approval. A motion was made by Miles, second by Anderson to approve conditional use application 2022-3-15, per the site plan submitted – all voted yes, motion carried.

New Business:

***Mark Anderson excused himself as a Board Member on all Board discussion/action regarding the Maple Pass LLC Development

- **Review Development Agreement between Maple Pass LLC and the City of Hartford for TIF District #1:** On 4/5, the Hartford City Council approved the formation of Tax Increment District #1 for Maple Pass LLC. This district/area has been established so the next step is working on and approving a development agreement with Maple Pass LLC and the City. A detailed development agreement was reviewed and discussion was held on the structure of the TIF loan, repayment schedule, and the city's obligation. The developer will hold the TIF loan. The agreement commits the Developer to complete the listed project and ensure performance of the TIF and commits the city to make payments of tax increment revenues to the developer for payment of the TIF loan. A motion was made by Graham, second by Kutil to approve the project plan and development agreement for TIF #1 – all voted yes, motion carried.

***Mark Anderson rejoined the Board.

- **Review/Discuss Maximum Building Heights within Zoning Districts:** President Randall asked to review the city's current height restrictions in our zoning districts to look at increasing these height restrictions on multi-family dwellings. Staff presented information from other communities regarding their regulations on maximum heights. The Board would like staff to propose a draft ordinance to change to our residential regulations to allow a height exemption by conditional use permit and an increase height allowance for larger multi-family dwellings. Staff will present this draft to the Board at a future meeting.

Updates:

- **Building Inspector Update:** Building Inspector Paul Clarke provided the Board his March inspection report, along with an update on open building permits. There are currently 21 open single-family homes in various stage of construction, along with 1 twin home. Clarke has addressed the property along Ruud Trail to ensure all permits were secured before any additional building. Clarke also gave an update on commercial properties under construction.
- **Building Inspector/Code Enforcer Update:** Kyle Christensen was present to present the Board a copy of his March code enforcement report and provide an update. He is addressing several issues including parking on the grass, junk, pet licensing and fencing issues. Randall preferred the updated format for the code enforcement report.
- **City Administrator Update:**
 - WWTF – Our SRF loan application and facility plan has been finalized and sent to the state – the state considered the city's application at their 4/12 meeting and the city was awarded a large grant for this future project, along with a low

interest SRF loan. The city council also approve a contract with ISG at their 4/5 meeting to design the facility – this design process will probably take a year, with construction in 2023 & 2024.

- Western Ave Industrial Sewer Main – The Contractor is making good progress. If the weather cooperates, they hope to be done in early May.
- Summit Carbon Solutions Pipeline - Summit Carbon Solutions LLC is proposing to erect a CO2 pipeline just to the west of Hartford. This pipeline will encompass a 5-state region and capture CO2 emission from ethanol plants that will be pressurized in a pipe and transported to North Dakota for disbursing. This pipeline is proposed to run just to the west of the city (map enclosed). I have concerns about stopping Hartford’s growth to the west and the safety of our citizens in case of a rupture. I have submitted several questions into the PUC and the city has applied for party status in the case so we can stay informed and involved as this move forward. The PUC has one year in which to vote on approving or denying this pipeline.
- Park & Recreation Board – The city’s new Park and Recreation Board has made a recommendation to the council to move forward with a dog park just east of our yard waste collection site. Council approved this project and work will begin asap.
- Downtown Committee - The Downtown Committee did ask the city council to consider an interim and then permanently closing of 1st Street between Main Ave and the alley to the East. If the council is agreeable to this, they want to turn that area into a Downtown “park” area with tables or benches, shrubbery, maybe even a water feature. The council is considering the request but asked staff to do some traffic counts of the area before any action is taken. Staff is still gathering traffic counts.
- Community Plan – ISG is in their final stages of this process. They conducted their last community input meeting on 4/6. They will now finalize the plan and present to the city within the coming weeks.
- Re-Branding – The city council has instructed the city administrator to investigate option for re-branding with a new logo. I have contacted 3 marketing firms and the council will discuss proposals at their next meeting.

Before Adjournment Steve Nolte tendered his resignation. His last meeting date will be Tuesday, May 10th.

Adjournment: A motion was made by Nolte, second by Kilbourn to adjourn at 7:55pm – 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

4

R: RESIDENTIAL DISTRICT

The purpose of this district is to provide for certain low density residential areas the City now developed primarily with single-family, two-family and multiple-family dwellings and where similar development is likely to occur.

4.01 Permitted Uses

| Permitted Use | Applicable Standards |
|---|--|
| Single-family detached dwellings | 12.02, 12.04, 12.06, 12.10, 12.11 |
| Two-family dwelling | 12.02, 12.04, 12.06, 12.10, 12.11 |
| Place of Worship | 12.02, 12.04, 12.11 All parking lots being eight feet from all residential properties. One of the principal frontages shall abut upon an arterial or collector street. One free standing sign as allowed within 12.06 |
| Library | 12.02, 12.04, 12.11 All parking lots being eight feet from all residential properties. Signage as allowed within 12.06 under CB District. |
| Public parks and trails | 12.02, 12.04, 12.06 |
| Schools | 12.02, 12.04, 12.11 All parking lots being eight feet from all residential properties. One of the principle frontages shall abut upon an arterial or collector street. One freestanding sign as allowed within 12.06. |
| Neighborhood utility facility | 12.02 |
| Electrical substation | 12.11, 12.02 An opaque screen, six feet in height, shall be located at all setback lines. |
| Wireless communication facility on existing support structure | 12.09 |
| Accessory use and buildings (i.e. garage, shed) | 12.03 (see definition) |
| Fences | 12.08 |

(Amended: Ordinance No. 694, Adopted 10/6/2020)

4.02 Conditional Uses

| Conditional Use | Applicable Standards |
|--|--|
| Multiple-family dwellings (3 or more dwelling units) | 12.02, 12.04, 12.06, 12.10, 12.11, 19.01 |
| Group day care | 19.01 A safe pickup and drop off area must be provided for the children. |
| Bed and breakfast establishment | 12.14, 19.01 All single-family detached dwelling standards. One freestanding sign as allowed within 12.06. |
| Home occupations | 12.12, 19.01 |
| Group home (see definition) | 19.01 Structure must be a single housekeeping unit. Applicant must provide copy of state agency license. All single-family detached dwelling standards apply. |
| Wind energy conversion system | 12.02, 12.06, 12.15, 19.01 |

4.03 Lot and Yard Regulations

All measurements shall be taken from the lot line to the building line (see definitions). Lot coverage shall not exceed 50% in R Districts.

| | Lot Area | Lot Width | Front Yard | Side Yard | Rear Yard | Maximum Height |
|--|--|-----------|--------------------|---|-------------------------------|----------------|
| Single-Family detached dwelling (Z-Lots Only) #1 | 7,500 sq. ft. | 55 feet | 25 feet see #2, #3 | 5 feet see #4 | 25 feet/15 feet – corner lots | 35 feet see #5 |
| Single-family detached dwelling | 7,500 sq. ft. | 66 feet | 25 feet see #2, #3 | 7 feet see #4 | 25 feet/15 feet - corner lots | 35 feet see #5 |
| Two-family dwelling | 11,250 sq. ft. Zero lot line split: 5,625 sq. ft. | 90 feet | 25 feet see #2, #3 | 0' on party wall side and 7' on nonparty wall side see #4 | 25 feet/15 feet - corner lots | 35 feet see #5 |

| | Lot Area | Lot Width | Front Yard | Side Yard | Rear Yard | Maximum Height |
|---|--|-----------|--------------------|----------------|---------------------------------|-------------------|
| Multiple-family dwellings (3 or more dwelling units) | 7,500 sq. ft. plus 800 sq. ft. per dwelling unit | 100 feet | 25 feet see #2, #3 | 15 feet see #4 | 25 feet/15 feet - corner lots | 45 feet see #6 |
| All other uses | 5,000 sq. ft. | 75 feet | 25 feet see #2, | 7 feet see #4 | 25 feet / 15 feet - corner lots | 35 feet see #5 |

Exceptions

- #1 A Z-Lot is a residential lot that has been approved by the City Engineer. The structures on a Z-Lot must be placed parallel to the angle portion of the lot and can only have a 25 foot driveway within the boulevard area with a maximum of a 6 foot flare.
- #2 There shall be a required front yard on each street side of a double-frontage lot. There shall be a required front yard on each street side of a corner lot.
- #3 One required front yard may be reduced to 20 feet on corner lots. The street upon which the property is addressed must have a front yard setback of 25 feet.
- #4 See also Adjustment to Yard Regulations (Chapter 13) and Non-Conforming and Non-Standard Uses (Chapter 14) for other specific exceptions.
- #5 A conditional use permit will be required for any structure having a maximum height exceeding 35 feet. (See 19.01)
- #6 A conditional use permit will be required for any structure having a maximum height exceeding 45 feet. (See 19.01)

(Amended: Ordinance No. 665, Adopted 5/7/2019; 677, Adopted 8/20/2019)

5

MH: MANUFACTURED HOUSING RESIDENTIAL DISTRICT

The purpose of this district is to provide for high density residential areas in the City now developed for all types of manufactured housing and support facilities.

5.01 Permitted Uses

| Permitted Use | Applicable Standards |
|---|--|
| Type I manufactured homes | 12.13, 12.02, 12.03, 12.04, 12.06, 12.11 |
| Type II manufactured homes | 12.13, 12.02, 12.03, 12.04, 12.06, 12.11 |
| Place of Worship | 12.02, 12.04, 12.11 All parking lots being eight feet from all residential properties. One of the principal frontages shall abut upon an arterial or collector street. One free standing sign as allowed within 12.06 |
| Electrical substation | 12.11, 12.02 An opaque screen, six feet in height, shall be located at all setback lines. |
| Wireless communication facility on existing support structure | 12.09 |
| Neighborhood utilities | 12.02 |
| Accessory use and buildings (i.e. garage, shed) | 12.03 (see definition) |

(Amended: Ordinance No. 694, Adopted 10/6/2020)

5.02 Conditional Uses

| Conditional Use | Applicable Standards |
|-----------------|---|
| Schools | 12.02, 12.04, 12.11, 19.01 One of the principle frontages shall abut upon an arterial or collector street. Signage as allowed within 12.06 under CB District. |

| Conditional Use | Applicable Standards |
|-------------------------------|--|
| Group day care | 19.01 A safe pickup and drop off area must be provided for the children. |
| Group home | 19.01 Structure must be a single housekeeping unit. Applicant must provide copy of state agency license. |
| Wind energy conversion system | 12.02, 12.06, 12.15, 19.01 |
| Home occupations | 12.12, 19.01 |

(Amended: Ordinance No. 694, Adopted 10/6/2020)

5.03 Lot and Yard Regulations

All measurements shall be taken from the lot line to the building line (see definitions).

1. Each manufactured home park shall be at least 5 acres.
2. The licensed manufactured home park shall be surrounded by a landscaped area 25 feet wide along all public streets and all manufactured home park boundaries.
3. The entrance to the manufactured home park shall be allowed one freestanding sign as allowed for specified uses in 12.06.

| | Lot Area | Lot Width | Front Yard | Side Yard | Rear Yard | Maximum Height |
|------------------|-------------|-----------|------------|-----------------------------------|-----------|-------------------|
| Residential Uses | 5,500 sq ft | 50 feet | 25 feet | 7 feet | 25 feet | 35 feet see #2 |
| Corner Lots | 6,000 sq ft | 60 feet | 25 feet | 7 feet side & 15 feet corner side | 25 feet | 35 feet see #2 |
| All Other Uses | 6,000 sq ft | 60 feet | 25 feet | 15 feet | 25 feet | 35 feet see #2 |

Exceptions

- #1 See also Adjustment to Yard Regulations (Chapter 13) for other specific exceptions.

#2 A conditional use permit will be required for any structure having a maximum height exceeding 35 feet. (See 19.01)

5.04 Manufactured Home Park Licensing and Compliance

- A. Definitions. Whenever used in this chapter, the following words shall have the meaning indicated, unless the context clearly indicates otherwise:
1. **Manufactured home** means the definition of manufactured home contained in 20.02 Definitions, hereof.
 2. **Manufactured home park** means the definition of manufactured home park contained in 20.02 Definitions, hereof.
 3. **Travel trailer** means the definition of travel trailer contained in 20.02 Definitions, hereof.
 4. **Travel trailer campground** means any plat or ground on which a camper, travel trailer, motor home or tent is located for short-term occupancy regardless of whether or not a charge is made for such accommodation. However, such definition shall not include the premises of one who stores thereon a single trailer of which he is the owner.
- B. Minimum area. No manufactured park as defined herein shall be located on any parcel of ground having a surface area of less than five (5) acres unless abutting an existing mobile home park. A minimum of fifteen (15) manufactured home spaces must be provided for occupancy under the initial construction of a manufactured home park to ensure that streets, parking and other facilities are completed for the first occupants.
- C. Administration; right of entry for inspection. The administration and enforcement of this article shall be under the supervision and jurisdiction of the Zoning Administrator of the City.
- The Zoning Administrator shall have the right and is hereby empowered to enter upon any premises on which manufactured homes, travel trailers or campers are or about to be located and inspect the same and all accommodations connected therewith at any reasonable time.
- D. Location outside parks.
1. Except as otherwise provided, it shall be unlawful, within the limits of the city, to park any manufactured home or travel trailer on any street, alley or highway, or other public place, or on any tract of land owned by any person occupied or unoccupied, within the city.

2. Emergency or temporary stopping or parking is permitted on any street, alley, or highway for not longer than one hour subject to any other or further prohibitions, regulations, or limitations imposed by the traffic and parking regulations for that street, alley or highway.
 3. No person shall park or occupy any mobile home or travel trailer on the premises of any occupied dwelling, except the parking of only one (1) unoccupied travel trailer in an accessory private garage building or in the rear yard in any district is permitted providing no living quarters shall be maintained or any business practiced in the travel trailer while so parked or stored. Temporary parking of an occupied or unoccupied travel trailer for a period not to exceed seven (7) consecutive days is permitted on private property.
- E. Permanent occupancy. Manufactured homes may be used as permanent places of adobe, or as, permanent dwellings for an indefinite period of time only in the following case:
1. Where such manufactured home is lawfully located and maintained in a manufactured home park.
- F. License; application and issuance.
1. It shall be unlawful for any person to establish, operate or maintain or permit to be established, operated or maintained upon any property owned or controlled by him, a mobile home park or travel trailer campground within the limits of the city without having first secured a license for each of them from the city granted and existing in compliance with the terms of this article. All licenses shall expire on the first day of January of each year, but may be renewed under the provisions of this chapter for additional periods of one year. Each application for a license shall include a showing that the applicant's premises comply with this article or any amendment of the same, except as provided in Section H. A license fee established by resolution shall accompany each application for a new license or the renewal of an existing license.
 2. The initial application for such license shall be made in conjunction with the building permit application according to the procedures in Zoning Regulations: 16 Building Permits, Fees and Certificate of Occupancy. The renewal of the license shall be filed with the finance officer. The application for a license or a renewal thereof shall be made on printed forms furnished by the finance officer and shall include the name and address of the owner in fee of the tract, if the fee is vested in some person other than the applicant, a duly verified statement by that person, that the applicant is authorized by him to construct or maintain the mobile home park and make the application and such legal description of the premises, upon which the manufactured home park is or will be located as will readily identify and definitely locate the premises. The application shall be accompanied by two (2) copies of the park plan showing the following, either existing or as proposed:
 - a. The extent and area used for park purposes.

- b. Roadways and driveways.
 - c. Location of sites or units for manufactured homes.
 - d. Location and number of sanitary conveniences, including toilets, washrooms, laundries and utility rooms to be used by occupants.
 - e. Method and plan of sewage disposal.
 - f. Method and plan of garbage removal.
 - g. Plan for electrical power of units.
- G. Inspection fee. Each manufactured home moved onto a manufactured home park lot shall be inspected by the Zoning Administrator of the city and an inspection fee paid by the manufactured home owner to the finance officer prior to occupancy of the manufactured home. Said inspection fee shall be set by resolution. Such inspection shall insure compliance with the provisions of this article. Licenses issued under the terms of this article convey no right to erect any building, to do any plumbing work or to do electrical work, and are not transferable.
- H. Temporary license. Manufactured home parks in existence prior to January 1, 2008, may be granted a limited license annually for eight (8) years from that date without complying with all of the restrictions and requirements imposed by this article. However, at the end of that time period, the manufactured home park shall be in compliance with this article or any amendment of the same.

However, the owner of each manufactured home park granted a temporary license under the terms of this section shall submit signed park plans, specifications and statement of intention to the city finance officer by July 1, 2008, revealing the owner's plan to bring the park into full conformance of this article by January 1, 2018. The plan shall show improvements to be made on a yearly basis and must be approved by the city council.

In no case shall any manufactured home be moved into any manufactured home park that does not have a manufactured home park license or onto an existing manufactured home lot which does not comply with the area and yard requirements of this article or the requirements of the approved park plan.

An annual inspection shall be made or caused to be made by the building official to ensure compliance with all provisions of this article. Those manufactured home parks having deficiencies shall be notified of the deficiencies and allowed thirty (30) days in which to correct them. At the end of the thirty-day period, the building official shall determine if the deficiencies have been corrected; and if they remain uncorrected, he shall suspend the license of the manufactured home park.

I. Plan. The applicant for a manufactured home park license shall submit with his application a plan of construction within the proposed park adhering to and observing the space limitations and requirements hereinafter prescribed and within a manufactured home park, the following space regulations and other requirements shall apply:

1. Area requirements:

- a. Minimum lot area shall be five thousand five hundred (5,500) square feet.
- b. Minimum lot width at building line shall be fifty (50) feet.
- c. Minimum space between manufactured homes shall be ten (10) feet if a one-hour fire resistive wall eight (8) feet in height is constructed on the lot line between the front yard and rear yard lines. In the absence of such a wall, the minimum space between manufactured homes shall be twenty (20) feet. Except, manufactured homes located on lots within manufactured home parks at the time of passage of this ordinance shall be required to have a minimum distance between manufactured homes or structures attached thereto of sixteen (16) feet so long as said manufactured home remains on the same lot.
- d. Maximum projection of an attached structure to one side shall be five (5) feet and a carport may be attached; said projections shall not be included in side yard measurements. Any projection other than the two (2) above specified instances shall be counted in determining side yard requirements.
- e. Side yards shall be at least seven (7) feet and rear yards shall be at least twenty-five (25) feet.
- f. Front yards of twenty-five (25) feet shall be provided from the public or private street as the case may be.
- g. In no case shall any manufactured home occupy more than one-third the total area of any lot.
- h. Exceptions to area requirements for lots established in manufactured home parks prior to January 1, 2008.
 - I. Minimum lot area shall be twenty-two hundred (2,200) square feet.
 - II. Minimum lot width at building line shall be thirty-one (31) feet.
 - III. Front yards of twenty-five (25) feet shall be provided on public or private streets measured from the lot line. The maximum building site of each manufactured home shall be shown on the park plan for each manufactured home lot.

J. Building size is the measurement of the manufactured home excluding the trailer hitch and tongue.

1. Street and access requirements:

a. Minimum roadway widths within a manufactured home park shall be:

Twenty (20) feet with no parking on roadway permitted.

Thirty (30) feet with parking permitted on one side only.

Forty (40) feet with parking permitted on both sides.

b. All manufactured home space shall abut upon hard surfaced streets. Surfacing shall be Portland cement concrete or asphaltic concrete. Completion of surfacing shall be within two (2) years of the date of passage of this ordinance or one year of the construction of a new manufactured home park.

c. All dead-end streets or roadways shall terminate in an open space having a sixty-foot minimum diameter. No dead-end street or road shall exceed five hundred (500) feet in length.

d. Streetlights of one hundred seventy-five (175) watt luminaires at one hundred fifty (150) feet maximum spacing shall be provided for the safe movement of pedestrians and vehicles at night.

e. Sidewalks shall be provided within the manufactured home park between the individual manufactured homes, the park streets and all community facilities provided for park residents. Interior sidewalks and individual walks shall be of Portland cement concrete at least four (4) inches in thickness and two and one-half (2 ½) feet in width; except, individual walks two (2) feet in width may be retained where they exist on the date of passage of this Code. Exterior sidewalks and sidewalks along public streets shall comply with the requirements of the ordinances of the city pertaining to public sidewalks.

f. The owner of a manufactured home park shall provide a roadway which shall be at least twenty (20) feet in width with no parking permitted, or thirty (30) feet in width with parking permitted on one (1) side only or forty (40) feet in width with parking permitted on both sides for the purpose of connecting the roadway system within the manufactured home park with the public highway system.

g. It shall be unlawful and a violation of this article for any person to obstruct any roadway required by the provisions of this section.

2. Every manufactured home park shall be located on a well-drained area, and the premises shall be properly graded so as to prevent the accumulation of storm or other

waters.

3. Car parking areas shall be provided at the rate of at least two (2) car spaces for each manufactured home lot, and at least one (1) of the spaces shall be located on the lot. The car parking spaces shall be surfaced with Portland cement concrete or asphaltic concrete completed in place before occupancy. In no case shall parking be permitted on interior drives within twenty-five (25) feet of exterior driveways or interior intersections.
 4. Exposed ground surfaces in all parts of every mobile home park shall be paved, or covered with stone screenings, or other solid material or protected with a vegetative growth that is capable of preventing soil erosion and of eliminating objectionable dust.
 5. Each manufactured home space shall be provided with a hardstand of sufficient size and depth to adequately accommodate a manufactured home.
 6. Anchors such as deadmen, screw augers or arrowhead anchors approved by the Zoning Administrator for the city shall be provided and installed by the owner of each manufactured home.
 7. Each lot in the manufactured home park shall be identified by a clearly visible number the size of which shall be at least three (3) inches in height.
- K. Water supply and sanitary sewer. Within any manufactured home park the following regulations applicable to water supply and sanitary waste removal shall be observed:
1. All units in the manufactured home park shall be served by a connection with the public water supply, an adequate supply of pure water, furnished through a pipe distribution system connected directly with the city water system.
 2. All units in any manufactured home park shall be equipped with flush-type toilets and be connected to the city sewer system.
- L. Refuse disposal. Within any manufactured home park the following regulations relating to the collection and disposal of solid and semisolid waste shall be observed:
1. The storage, collection and disposal of refuse in the manufactured home park shall be so managed as to create no health hazards, rodent harborage, insect breeding areas, accident or fire hazards, or air pollution.
 2. All refuse shall be stored in flytight, watertight, rodent-proof containers, which shall be located not more than one hundred fifty (150) feet from any manufactured home space. Containers shall be provided in sufficient number and capacity to properly store all refuse.

3. All refuse shall be collected in accordance with existing ordinances. Where suitable collection service is not available, the manufactured home park operator shall provide this service. All refuse shall be collected and transported in covered vehicles or covered containers.
- M. Plumbing, heating and electrical repair work. All plumbing, heating and electrical alterations or repairs in a manufactured home park shall be made in accordance with city ordinance.
- N. Skirting of manufactured homes required. Every manufactured home owner shall cause such home to be skirted with material approved by the building official after placement of the home. Areas enclosed by such skirting shall be maintained so as not to provide a harborage for rodents, or create a fire hazard.
- O. Additions. No additions shall be built onto or become a part of any manufactured home unless approved by the building official.
- P. Register of occupants. It shall be the duty of each licensee to keep a register containing a record of all manufactured home owners and occupants located within the park. The register shall contain the following information:
 1. The name and address of the owner of each manufactured home.
 2. The name and address of the manufactured home renter, if not the owner.
 3. The make, model, year, lot number and exterior dimensions of each manufactured home.

The park shall keep the register available for inspection at all times by law enforcement officers, public health officials and other officials whose duties necessitate acquisition of the information contained in the register. The register record for each occupant registered shall not be destroyed for a period of three (3) years following the date of departure of the registrant from the park.

- Q. Management, maintenance and control of person in charge. An office, denoted by a sign, shall be maintained in every manufactured home park in which shall be located a person in charge of said park. A copy of the park license and of this article shall be posted therein and the park register shall at all times be kept in said office. A map of the manufactured home park shall be displayed showing the location of each lot. In the event no office is maintained in the manufactured home park, illuminated signs shall be maintained at each entrance to the manufactured home park showing the name of the manufactured home park and a map showing the location and lot number of each lot in the manufactured home park.
- R. Duty of owner and others regarding licenses. It is hereby made the duty of the attendant or person in charge together with the licensee, to:

1. Keep at all times the register of all occupants as hereinbefore provided.
 2. Maintain the park in a clean, orderly and sanitary condition at all times.
 3. Cut and control all noxious weeds.
 4. Post speed limit signs meeting the specifications of the city engineer at the entrances of the park restricting motor vehicle traffic to not more than fifteen (15) miles per hour.
 5. Notify the building inspector whenever a space is vacated.
 6. Notify the building inspector before a manufactured home is placed in a new or vacated space.
 7. See that the provision of this article and all other applicable laws and ordinances are complied with.
 8. Cap all sewers not connected to a manufactured home.
- S. Manufactured home placement permit. The manufactured home court owner shall submit a permit application to the building inspector before a manufactured home is allowed to be placed in a new or vacated space in the owner's court. Such permit shall include the manufactured home owner's name, manufactured home make/ model/size, date and time of anticipated arrival, and the court lot location assigned.
- T. Annual compliance plan review. Prior to the annual licensing of all manufactured home courts, an inspection shall be conducted for each manufactured home court to determine the court owner's conformance with the signed manufactured home court ordinance compliance plan. Such inspection shall include a review of all variances granted in the plans to determine the status and/or continued need for those vacancies.

6

NC: NEIGHBORHOOD COMMERCIAL DISTRICT

The purpose of this district is to allow small commercial areas to serve principally residential neighborhoods. Intensive commercial uses that generate large volumes of traffic or that have other characteristics that would adversely affect the quality of surrounding residential areas are not appropriate in the Neighborhood Commercial District.

6.01 Permitted Uses

| Permitted Use | Applicable Standards |
|---|-----------------------------------|
| Eating establishment | 12.02, 12.04, 12.05, 12.06, 12.11 |
| Food stores: retail bakers; meat, fish, fruit and vegetable markets | 12.02, 12.04, 12.05, 12.06, 12.11 |
| Medical and dental offices | 12.02, 12.04, 12.05, 12.06, 12.11 |
| Public parks and trails | 12.02, 12.04, 12.06 |
| Place of Worship | 12.02, 12.04, 12.06, 12.11 |
| Personal services: beauty salons; barber shops; laundry services; photo studios | 12.02, 12.04, 12.05, 12.06, 12.11 |
| Neighborhood utility facility | 12.02, 12.04, 12.05, 12.06, 12.11 |
| Fence | 12.08 |
| Accessory use and buildings (i.e. garage, shed) | 12.03 <i>(see definition)</i> |

(Amended: Ordinance No. 694, Adopted 10/6/2020)

6.02 Conditional Uses

| Conditional Use | Applicable Standards |
|--|--|
| Banks/depository financial institutions | 12.02, 12.04, 12.05, 12.06, 12.11, 19.01 |
| Day care center | 12.02, 12.04, 12.05, 12.06, 12.11, 19.01 |
| Eating establishment with alcoholic beverage sales | 12.02, 12.04, 12.05, 12.06, 12.11, 19.01 Located at least 1,000 feet from a school* |
| Public service facility | 12.02, 12.04, 12.05, 12.06, 12.11, 19.01 |
| Wind energy conversion system | 12.02, 12.06, 12.15, 19.01 |

*Measured from the closest point of the outside walls of both structures

6.03 Lot and Yard Regulations

All measurements shall be taken from the lot line to the building line (see definitions).

| Minimum Lot Area | Lot Width | Front Yard | Side Yard | Rear Yard | Maximum Height |
|------------------|-----------|------------------------|----------------|-----------|-------------------|
| 10,000 sq. ft. | 100 feet | 25 feet see #1, #2, #3 | 15 feet see #3 | 30 feet | 35 feet see #4 |

Exceptions

- #1 There shall be a required front yard on each street side of a double-frontage lot. There shall be a required front yard on each street side of a corner lot.
- #2 One required front yard may be reduced to 20 feet on corner lots. The street upon which the property is addressed must have a front yard setback of 25 feet.
- #3 See also Adjustment to Yard Regulations (Chapter 13) and Non-Conforming and Non-Standard Uses (Chapter 14) for other specific exceptions.
- #4 A conditional use permit will be required for any structure having a maximum height exceeding 35 feet. (See 19.01)

7

CC: COMMUNITY COMMERCIAL DISTRICT

The purpose of this district is to provide for commercial development that offers a broad range of goods and services to meet the convenience and comparison shopping needs of residents. An effort should be made to achieve design compatibility between adjoining commercial uses.

7.01 Permitted Uses

| Permitted Use | Applicable Standards |
|--|-----------------------------------|
| Motor vehicle sales, excluding on-site service or repair facility | 12.02, 12.04, 12.05, 12.06, 12.11 |
| Motor vehicle parts sales | 12.02, 12.04, 12.05, 12.06, 12.11 |
| Building materials, home and garden supply stores: hardware stores; nurseries and garden supply stores | 12.02, 12.04, 12.05, 12.06, 12.11 |
| Domestic animal sales and service: grooming; retail sales | 12.02, 12.04, 12.05, 12.06, 12.11 |
| Eating establishment | 12.02, 12.04, 12.05, 12.06, 12.11 |
| Food stores: grocery stores; retail bakers, meat, fish and vegetable markets; miscellaneous food stores | 12.02, 12.04, 12.05, 12.06, 12.11 |
| General merchandise stores | 12.02, 12.04, 12.05, 12.06, 12.11 |
| Business services | 12.02, 12.04, 12.05, 12.06, 12.11 |
| Engineering, management, public administration and related offices and services | 12.02, 12.04, 12.05, 12.06, 12.11 |
| Gasoline service stations | 12.02, 12.04, 12.05, 12.06, 12.11 |
| Medical and dental offices | 12.02, 12.04, 12.05, 12.06, 12.11 |
| Miscellaneous repair services | 12.02, 12.04, 12.05, 12.06, 12.11 |
| Personal services: beauty shops; barber shops; laundry services, includes dry cleaning and pressing; photo studios | 12.02, 12.04, 12.05, 12.06, 12.11 |

| Permitted Use | Applicable Standards |
|---|-----------------------------------|
| Place of Worship | 12.02, 12.04, 12.06, 12.11 |
| Real estate, insurance agents, brokers and services | 12.02, 12.04, 12.05, 12.06, 12.11 |
| Transportation services: travel agencies | 12.02, 12.04, 12.05, 12.06, 12.11 |
| Day care center | 12.02, 12.04, 12.05, 12.06, 12.11 |
| Public parks and trails | 12.02, 12.04, 12.06 |
| Neighborhood utility facility | 12.02, 12.04, 12.05, 12.06, 12.11 |
| Fence | 12.08 |
| Accessory use and buildings (i.e. garage, shed) | 12.03 (see definition) |

(Amended: Ordinance No. 694, Adopted 10/6/2020)

7.02 Conditional Uses

| Conditional Use | Applicable Standards |
|--|--|
| Motor vehicle, camper sales with on-site service or repair facility | 12.02, 12.04, 12.05, 12.06, 12.11, 19.01 |
| Convenience stores | 12.02, 12.04, 12.05, 12.06, 12.11, 19.01 |
| Domestic animal sales and services: clinics/hospitals | 12.02, 12.04, 12.05, 12.06, 12.11, 19.01 |
| Food stores: supermarkets | 12.02, 12.04, 12.05, 12.06, 12.11, 19.01 |
| Kennels | 12.02, 12.04, 12.05, 12.06, 12.11, 19.01 |
| Liquor stores | 12.02, 12.04, 12.05, 12.06, 12.11, 19.01 |
| Amusement/recreational services: dance/art studios; miscellaneous amusement services | 12.02, 12.04, 12.05, 12.06, 12.11, 19.01 |
| Auto repairs (within completely enclosed building) | 12.02, 12.04, 12.05, 12.06, 12.11, 19.01 |
| Banks/depository institutions | 12.02, 12.04, 12.05, 12.06, 12.11, 19.01 |
| Bars | 12.02, 12.04, 12.05, 12.06, 12.11, 19.01 |
| Eating establishment with alcoholic beverage sales | 12.02, 12.04, 12.05, 12.06, 12.11, 19.01 |

| Conditional Use | Applicable Standards |
|---|---|
| Funeral home/chapel | 12.02, 12.04, 12.05, 12.06, 12.11, 19.01 |
| Hotels and other lodging places: bed and breakfast inns, hotels or motels, rooming and boarding houses | 12.02, 12.04, 12.05, 12.06, 12.11, 19.01 |
| Massage establishments | 12.02, 12.04, 12.05, 12.06, 12.11, 19.01 |
| Medical and dental clinics | 12.02, 12.04, 12.05, 12.06, 12.11, 19.01 |
| Membership organizations, clubs and lodges | 12.02, 12.04, 12.05, 12.06, 12.11, 19.01 |
| Non-depository institutions, for example, check cashing | 12.02, 12.04, 12.05, 12.06, 12.11, 19.01 |
| Personal services | 12.02, 12.04, 12.05, 12.06, 12.11, 19.01 |
| Adult oriented business | 12.02, 12.04, 12.05, 12.06, 12.11, 19.01 & SDCL 11-12 |
| Colleges, universities, vocational schools | 12.02, 12.04, 12.05, 12.06, 12.11, 19.01 |
| Congregate care facility | 12.02, 12.04, 12.05, 12.06, 12.11, 19.01 |
| Recovery facility | 12.02, 12.04, 12.05, 12.06, 12.11, 19.01 |
| Special trade contractors: carpentry; electrical, plumbing, heating, air conditioning | 12.02, 12.04, 12.05, 12.06, 12.11, 19.01 |
| Artisan Distillery | 12.02, 12.04, 12.05, 12.06, 12.11, 19.01 |
| Residential (on or above the second floor) | 12.02, 12.04, 12.06, 12.11, 19.01 |
| Planned unit development | 12.02, 12.04, 12.05, 12.06, 12.11, 19.01 |
| Public utility facility | 12.02, 12.04, 12.05, 12.06, 12.11, 19.01 |
| Public service facility | 12.02, 12.04, 12.05, 12.06, 12.11, 19.01 |
| Wind energy conversion system | 12.02, 12.06, 12.15, 19.01 |
| Telecommunications tower | 12.02, 12.04, 12.05, 12.06, 12.09, 12.11, 19.01 |

| Conditional Use | Applicable Standards |
|-----------------|--|
| Mini-warehouse | <p>12.02, 12.04, 12.05, 12.06, 12.11, 19.01</p> <p>The overhead doors shall be oriented to the interior of the site or screened from street view with a six foot barrier such as a fence or hedge. Perimeter walls shall be designed with physical breaks, facade material changes or other architectural details and features (not just paint) intended to mimic the style of a retail structure as opposed to a continuous, visually monotonous warehouse wall.</p> <p>A landscape buffer and screening strip shall be provided within each side and rear setback of the building envelope. Said buffer and screening strip shall consist of any combination of berming, fencing and vegetation which will provide a six foot high visual buffer.</p> <p>No outdoor storage is allowed.</p> <p>The maximum structural coverage is forty percent of the total lot area.</p> |

(Amended: Ordinance No. 680, Adopted 12/3/2019)

7.03 Lot and Yard Regulations

All measurements shall be taken from the lot line to the building line (see definitions).

| Minimum Lot Area | Lot Width | Front Yard | Side Yard | Rear Yard | Maximum Height |
|------------------|-----------|--------------------|----------------|-----------|----------------|
| 10,000 sq. ft. | 100 feet | 25 feet see #1, #2 | 15 feet see #2 | 20 feet | 45 feet see #3 |

Exceptions

- #1 There shall be a required front yard on each street side of a double-frontage lot, except if one of the street sides is an interstate highway in which case that side shall be considered a rear yard. There shall be a required front yard on each street side of a corner lot.
- #2 See also Adjustment to Yard Regulations (Chapter 13) and Non-Conforming and Non-Standard Uses (Chapter 14) for other specific exceptions.
- #3 A conditional use permit will be required for any structure having a maximum height exceeding 45 feet. (See 19.01)

April 26, 2022 P&Z Notes

New Business

- **Review/Discuss Proposed Zoning Ordinance change on Maximum Building Heights within Zoning Districts:** At the city's 4/12 P&Z meeting, the Board reviewed the city's current height restrictions within our zoning districts. Discussion was held in regard to possibly increasing these height restrictions on multi-family dwellings. Staff presented information from other communities regarding their regulations on maximum heights. The Board asked staff to propose a draft ordinance to change to our residential regulations to allow a height exemption by conditional use permit. Enclosed in the packet is a draft of this proposed change for Board discussion. The proposed changes are highlighted in yellow and would add verbiage to our existing regulation to allow exceeding the maximum height allowance in all districts only by conditional use – meaning that if any structure built in the city that would be over the maximum height for that zoning district, then the builder would have to apply for a conditional use permit and go before the P&Z Board for approval. This verbiage is already in our zoning regulations for regional commercial zones, light industrial zones and heavy industrial zone so in order to keep consistency, I have added the same verbiage to residential zones, manufactured housing zones, neighborhood commercial zones and to community commercial zones.

Updates:

Building Inspector Updates:

- Paul Clarke is unable to attend the meeting. He will provide a written report for the Board before Tuesday.

Code Enforcement Updates:

- Kyle Christensen will be present to give the Board his updates.

City Administrator Updates:

- Updates:

- WWTF – On 4/12/22, DANR held their meeting to consider application for SRF funding. There were 103 applications this year – a record number. The city of Hartford submitted an application to fund our future WWTF and we received a good grant award for the project. All the ARPA funding is grants that the city does not need to repay so we only need to finance \$7,181,432 with a SRF loan. DANR is requesting that we place a surcharge upon all water account for repayment of this loan – this surcharge will be approximately \$26.00 to each resident but it will eliminate the need for a public vote. (If the city wouldn't have received the grants, that surcharge could have been up to \$75.00 for each resident)
 - Total Project Cost – **\$16,762,000**
 - Local ARPA Funds \$599,784
 - State 1:1 ARPA Match \$599,784
 - State ARPA Grant \$8,381,000
 - SRF Loan \$7,181,432 (Loan rate 2.125% for 30 years – Expected surcharge \$26.00)
- Western Ave Industrial Sewer Main – The majority of this project has been completed. Work on Oaks Avenue is anticipated to be the first week in May.
- Up-coming Projects - The council approved an engineering contract with ISG to finalize design on the future bike path. They also asked ISG to submit contracts to begin preliminary designs on widen Western Avenue in 2025 and designs on the city's water main extension east of town, along Hwy 38.
- Midco Project – Midco held a pre-construction meeting last week to discuss their project. Basically, they plan to start this week on the SE part of town, work north and then come back south through the main section of town.
- Summit Carbon Solutions Pipeline – The PUC has accepted our application to receive party status for this project, which allows the city to partake in discussion and updates regarding this project. I will pass along any updates as I receive them.
- Community Plan – ISG is in their final stages of this process. They conducted their last community input meeting on 4/6. They will now finalize the plan and present to the city within the coming weeks. When we receive the final plan, we will work with SECOG to review and update the city's comprehensive plan.
- Re-Branding – The city council has instructed me to look into our option for re-branding with a new logo. I contacted 3 marketing firms and the council was presented with 3 proposals. I was directed to work with a small committee to make a recommendation to the council on the 3 proposals. The Mayor and I plan to work on putting together this recommendation committee next week.

Please call if you have any Question: 528-6187