

## **Planning and Zoning Meeting – Regular Meeting May 31, 2022**

Chairman Tony Randall called the meeting to order at 7:10pm at Hartford City Hall with the following planning and zoning members present: Tim Graham, Michelle Kilbourn, and Brad Miles. Stacey Kutil was absent with notice and Mark Anderson was absent without notice. City Administrator Teresa Sidel and Building Inspector/Code Enforcer Kyle Christensen were also present. There were two present from the public.

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

**Approval of the Minutes:** The May 10, 2022, regular meeting minutes were reviewed. A motion was made by Kilbourn, second by Graham to approve the May 10, 2022, regular meeting minutes – all voted yes, motion carried. The May 18, 2022, special meeting minutes were reviewed. A motion was made by Miles, second by Kilbourn to approve the May 18, 2022, special meeting minutes – all voted yes, motion carried.

### **Hearings/Petitions/Applications/Ordinances:**

- **7:05 Public Hearing – Amend Zoning Regulation for Building Heights – Draft Ordinance 733:** At the city's 4/12 P&Z meeting, the Board reviewed the city's current height restrictions within our zoning districts and compared them with other communities. The Board asked staff to propose a draft ordinance to change to our regulations to allow a height exemption by conditional use permit. A draft of this revision was presented to the Board for review on 4/26. The proposed changes 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 that would be over the maximum height for that zoning district, it would require the builder 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 zones so in order to keep consistency, the same verbiage was added to residential zones, manufactured housing zones, neighborhood commercial zones and to community commercial zones. Draft Ordinance 733 incorporates this change to allow a height exemption in all zoning districts by conditional use. A motion was made by Kilbourn, second by Miles to recommend approval of Ordinance 733 to the city council – all voted yes, motion carried.
- **7:10 Conditional Use Hearing:** Chad & Ashley Dubac of 704 N Main Ave has submitted a conditional use permit to the city. They would like to erect a 30'x36' (1,080 square foot) accessory building for a 3-stall garage, which is over the city's maximum square footage allowed of 1,000 square feet. The proposed garage would be under the 30% rear yard requirement and within the city's regulations. They are also asking the city to allow a 17' on the building height, which is over the city's maximum height regulation of 15' and they are asking for a 5' east side setback, which is under the city's 10' setback requirement. The Board will need to consider allowing 3 things that are not within our regulations: 1) Allow a 1,080 sf building; 2) Allow a height of 17'; 3) Allow a setback of 5' from the east property line (rear yard). Chad & Ashley Dubac were present to address the Board. The owners noted that they are currently surrounded by commercial and multi-family on 3 sides, they have a fence that encloses the rear yard, they believe the size difference will not be overbearing, and they have talked to adjoining neighbors and have not received any opposition. Board discussion was held and other possible options, such as attaching the garage, but ultimately rejected this option. Board noted that the building size would be in line with other approved structures but did not see the need or hardship to reduce the setback on the east side. A motion was made by Kilbourn, second by Miles to approve conditional use permit 2022-5-10 to allow a 1,080 sf detached garage building with a maximum height of 17' but no exception to change the setback requirements – all voted yes, motion carried.

**New Business:** The city's Chamber and Economic Development Director, Amy Farr, asked the Board to consider a zoning change to place standards on commercial/industrial buildings to regulate their appearance. Currently the city only has building standards for single-family and multi-family dwellings, but the city does not have any building standards for commercial or industrial properties. So, a commercial or industrial building could be erected of steel, wood, masonry, etc. – the city does not dictate the materials used on commercial buildings. In order to be a more aesthetically pleasing and improve appearances to the public, discussion was held on if the city should develop standards for commercial properties. The consensus of the Board was to consider possible changes, but they wanted staff to bring forth suggested changes at a later meeting.

### **Updates:**

- **Building Inspector Update & Code Enforcer Update:** Building Inspector Paul Clarke was not in attendance but provide a report for the Board to review. Building Inspector/Code Enforcer Kyle Christensen gave the Board a quick update on code violations he is addressing. It was noted that the city did implement a warning system for violations that allows the code enforcer to place door hangers upon a property to remind a property owner the need to correct a possible violation.
- **City Administrator Update:**
  - The city is moving forward with discussions regarding regionalization with other communities. An initial meeting was held on 5/31.

- Western Ave Industrial Sewer Main – Work has begun on Oaks Avenue.
- A pre-construction meeting for the 6<sup>th</sup>/Mundt St project has yet to be scheduled.
- Maguire Iron was awarded the contract to paint the city’s water tower this summer.
- Projects: The council has approved an engineering contract with ISG to begin design work on a water extension project on the east side and they will review a contract to begin preliminary design work on the Western Ave. Project.
- Community Plan – We are still waiting for ISG to finalize the plan.
- The city is moving forward with rebranding. Henkinschultz was selected as the marketing firm to help with this process. An initial meeting is scheduled for 6/9.

**Adjournment:** A motion was made by Kilbourn second by Miles to adjourn at 8:007pm – 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.

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Teresa Sidel, City Administrator