

## **Planning and Zoning Meeting – Regular Meeting June 29, 2021**

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: Mark Anderson, Tim Graham, Stacey Kutil, Michelle Kilbourn, Steve Nolte, and Brad Miles. City Administrator Teresa Sidel and Building Inspector Paul Clarke were also present. There was no public present.

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

**Approval of the Minutes:** The June 8, 2021, meeting minutes were reviewed. A motion was made by Kilbourn, second by Graham to approve the June 8, 2021, regular meeting minutes – all voted yes, motion carried.

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

- **7:05 Hearing for Ordinance #709 – amendments to Zoning Regulations:** Southeastern Council of Government (SECOG) codified the city's zoning regulations into one document. The Board has reviewed this document and discussion was held on accessory buildings, parking, signage, and home occupation. Suggested changes to help clarify the zoning regulations were agreed upon by the Board and incorporated in Ordinance #709. A motion was made by Miles, second Kilbourn to approve and recommend approval of Ordinance #709 to the City Council – all voted yes, motion carried.

### **New Business:**

- **Review Fence/Accessory Building Easement Regulations:** The city has held some discussion on the city's regulation regarding the placement of fences or accessory buildings. The city's current regulations do not allow the placement of fences or accessory buildings within drainage easements or drainageway. This was enacted by the city a few years ago in the hopes of avoiding drainage issues due to the blockage of water flow. But with this regulation, the city is limiting the use of properties, creating issues with unmaintained land behind fences and assuming liability for private drainage issues, which is in conflict to the city's stormwater runoff policy that was enacted a year ago. The city engineer and staff reviewed regulations from other cities and feel that changing can be made to our regulations to allow the placement of fences and accessory buildings in drainage easements with stipulation. These changes would make the property owner responsible for ensuring proper use of the easement – regardless of the type of easement. We believe we can allow fences and accessory buildings in easements (all easements) but state that the fence or accessory building cannot impede the intended use of the easement and if it does, the fence or accessory building can be removed at the owner's expense. These changes would allow the property owners to utilize their entire property if desired and puts the liability of placement on the property owner and not the city. The Board was open to looking at these changes, but concerns were raised about how this would affect property owners that have already complied with our current regulations. It was the consensus of the Board for staff to draft suggested wording changes to our regulations that can be reviewed and discussed further.

### **Updates:**

- **Building Inspector Update:** Building Inspector Paul Clarke updated the Board on open building permits. There are currently 10 open single-family homes in various stages of construction, along with one twin home. Clarke also gave a brief update on commercial properties under construction.
- **City Administrator Update:**
  - **Code Enforcement:** The Board was given an update on 2 non-compliant properties within the city. One has been abated by the city but is being monitored and they other property is being addressed by our city attorney.
  - **Design Standards:** The city engineer, ISG, has fully reviewed the city's design standards with city staff and plan on attending the Board's July 27<sup>th</sup> meeting to review with the Board.
  - **Project Updates:** The Board was given an update on the Mickelson Road Project.
  - **Grant Updates:** The city has received word that they are a recipient of a GFP grant for bike trail expansion. The city has submitted a grant to FEMA for a storm shelter/concession stand at the Swenson Sports Complex and they submitted a grant to GFP for a dog park – both are still in the review process.
  - **Council Updates:** The city council has reviewed and denied a petition for 12<sup>th</sup> Street improvements but are moving forward with utility improvements this coming year, with discussion on street improvements to follow.

**Adjournment:** A motion was made by Anderson, second by Miles to adjourn at 7:45 p.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.

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Teresa Sidel, City Administrator