

Planning and Zoning Meeting – Regular Meeting July 9, 2024

Planning & Zoning 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, Troy Jackson and Brad Miles. Stacey Kutil arrived at 7:05pm. City Administrator Teresa Sidel, Building Inspector/Code Enforcer Kyle Christensen, and Building Inspector Paul Clarke were also present. There was one person from the public present.

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

Approval of the Minutes: The June 11, 2024, regular meeting minutes were reviewed. A motion was made by Miles, second by Jackson to approve the June 11, 2024, regular meeting minutes – all voted yes, motion carried.

Public Comments: None

Hearings/Petitions/Applications:

- **7:05 Public Hearing on Zoning Amendments**

- **Review Ordinance #753 – Zoning Regulations for Shouses:** The city’s Planning & Zoning Board has been discussing regulations for shouses, tiny homes and storage containers homes. Currently, the city does not have specific regulations that address these non-typical types of housing. All housing would have to follow the IRC regulation, the city’s zoning regulations, and our design standards for single-family and multi-family dwellings. At this time, shouses are an allowed use in the city if they follow our current regulations for residential structures. The Board did discuss adopting additional regulations that would place specific regulations on shouses regarding such things as construction, square footage, area, and facilities required. A proposed ordinance, ordinance #753, was reviewed by the Board. The proposed ordinance would still allow shouses in residential zoning but as a conditional use and not a permitted use – this will allow the Board to review all proposed plans. Shouses would still have to follow the city’s current lot and yard regulations set for lot area, setbacks and building height. A motion was made by Jackson, second by Miles to recommend approval of Ordinance #753 to the city council – all voted yes, motion carried.
- **Review Ordinance #754 – Zoning Regulations for Tiny Homes:** Once again, the city’s Planning & Zoning Board has been discussing regulations for shouses, tiny homes and storage containers homes. Currently, the city does not have specific regulations that address these non-typical types of housing. All housing would have to follow the IRC regulation, the city’s zoning regulations, and our design standards for single-family and multi-family dwellings. At this time, tiny homes are an allowed use if they follow our current regulations for residential structures. Ordinance #754 would still allow tiny homes but only as a pocket neighborhood and only as a conditional use in a residential district. It would set forth minimum building requirements for this type of structure, require them to be on permanent foundations, and provide common areas and detention ponds. These common areas would require the developer to establish an HOA for maintenance of common areas. The international building codes also have requirements for tiny homes and those must be followed – the IRC requires tiny homes to have a minimum of 400sf. The lot requirements for tiny homes would be different than a regular lot and are defined within the ordinance. A motion was made by Graham, second by Kutil to recommend approval of Ordinance #754 to the city council – all voted yes, motion carried.

Old Business:

- **Discuss Updates to Hartford’s Subdivision Regulations – Open Space Contribution:** The city engineers and staff have been reviewing our current sub-division regulations to keep up with the growth of the city and ever-changing development world. Discussion on the Open Space Contribution (Park Fee) has been a topic of discussion. Currently the city requires a developer to donate 5% of the development land to the city for future parks, trails, and public open spaces. In lieu of donating 5%, the developer can pay \$1,000 per acre to the city. Staff have noted that this \$1,000 per acre will not cover the cost to buy land if the city needed to purchase land for public space. ISG, staff and the P&Z Board have been discussing this over the past few weeks. The discussion has been where to locate parks, fee verses land, fee amounts, and time of dedication. The Board asked for more information on what other cities require and what the city has collected to date for our open space contributions/park fee – this information was provided for review. The P&Z Board feels that they can work in conjunction with the city’s Park & Recreation Board to identify areas that need a park or trail. The Board also talked about fees versus land – feeling that a fee amount should be fair market value and if land is needed within the development, then this should be identified and donated at the time the preliminary plans are being submitted. Staff will work on developing a proposed plan for Open Space Contribution that will be reviewed by the Board at their next meeting.

Updates:

- **Building Inspector Update:** Building Inspector Paul Clarke provided the Board with his June inspection report and provided an update on building permits. There are currently 15 single family homes under construction, and 2 twin homes. Clarke also gave a recap of current commercial permits that are still open or being worked on including the

school project, church project, car wash and multi-use building plans along Western Ave.

• **Building Inspector/Code Enforcer Update:** Kyle Christensen was present and provided his June code enforcement report to the Board. Violations that he has addressed include – tall grass/weeds, no pet licenses, junk/rubbish, parking on grass and violation for on permitted use.

• **City Administrator Update:**

- Project Updates
 - 6th/Mundt Street Project – ISG is still working with the contractor to complete punch list items.
 - Hwy 38 Project – Still waiting for state environmental approval to close on our loan and bid the project.
 - WRRF – Work continues to progress on this project. A tour is planned for 7/16.
 - 12th/Oaks Project – Work has begun on this project and a groundbreaking is planned for 7/11.
 - Western Ave Expansion – Funding options have been approved and meetings with property owners continue. The project is still set to be bid this winter in conjunction with the state bridge project.
- The city is continuing to work with area partners for regionalization of our future wastewater facility.
- JEO Consulting has been contracted with Minnehaha County to conduct a traffic study along Western Avenue from Mickelson Road to Hwy 130. This study was started on 6/18.
- The city council has approved a proposed agreement between the City and Hartford Township for maintenance of shared roadways.

Adjournment: A motion was made by Kilbourn, second by Graham to adjourn at 8:11pm – 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