

Planning and Zoning Meeting – Regular Meeting October 8, 2019

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, and Brad Miles. Matt Cain, Eric Bartmann and Stephanie Olson-Voth was absent with notice. City Administrator Teresa Sidel and Building Inspector Paul Clarke were also present.

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

Approve Minutes of September 24, 2019 Regular Meeting: The September 24, 2019 meeting minutes were reviewed. A motion was made by Miles, second by Graham to approve the September 24, 2019 regular meeting minutes – all voted yes, motion carried.

Old Business:

- **Review Boundary Line Dispute in Northside Mobile Home Park and Discuss Timeline for Moving Trailers within the required setback:** A recent survey of the property to the north of the Northside Mobile Home Park has shown that the north property line of the park is further south than originally believed. With no other survey presented, this survey becomes the survey of record. The new survey places the north property line of the mobile home park 16'-28' further south, which puts the mobile homes in lots 1B-10B too close to the property line. Rosie Quinn, Jamie Nelson and Brad Dvorak were present from the Northside Mobile Home Park to discuss with the Board. They once again asked the Board to reconsider allowing the trailers to stay placed as-is indicating that moving the trailers would place a hardship on the residents, would put the trailers too close to the road and it would eliminate their front yard. A variance hearing was conducted on August 27th to consider allowing the trailers to stay placed as-is, but this was denied by the Board. So now, the Board must determine a timeline to have the trailers come into compliance with the city's setback regulations. The Board did confirm that the trailers in lot 3B and 7B were placed before the city required setbacks in the mobile home park and are grandfathered-in, so they do not need to be moved. Also, the trailer in lot 10B is within the 25' setback requirement from the new property line so it can stay as placed. All other remaining trailers must be moved 25' from the new north property line. A motion was made by Miles, second by Anderson to required the mobile homes in lots 1B, 2B, 4B, 5B, 6B and 8B to be moved 25' from the north property line by October 8, 2021 or the owner must present proof of placement before 1999 to the city – all voted yes, motion carried. Mr. Sieverding, property owner to the north inquired about the personal property that is on his land. The Board noted that Mr. Sieverding can set a removal date for the items from his property since this was not a zoning issue. Rosie Quinn, manager of the Northside Mobile Home Park, indicated that all the personal property from the mobile home park will be removed from Mr. Sieverding's property at no cost to him.
- **Review Lock Box Draft Ordinance:** On September 10, 2019, Hartford Fire Chief Bryan Shumaker asked the Board to consider adopting an ordinance that would require minimum standards for a uniform lock box system on controlled access building within the city. The city has adopted the International Fire Code, which allows the city to require lock boxes at approved locations for emergency responders to gain necessary access to restricted properties. An amended draft ordinance was presented by city administrator Teresa Sidel for the Board to review. The Board felt that the amended draft incorporated all changes discussed previously by the Board. A motion was made by Graham, second by Miles to approve the amended Lock Box ordinance and refer it to the city council with a recommendation of approval – all voted yes, motion carried.
- **Review Dell Rapids Joint Jurisdiction Regulations:** As the city investigates joint jurisdiction with the county, it is the city's plan to closely mimic Dell Rapids joint regulations with the county in an effort to provide some uniformity. The City Administrator reviewed both the county zoning regulations and the Dell Rapids joint jurisdiction regulations with the county and compared the two regulations. It was noted that both documents are very similar – they both incorporated the same zoning districts with mostly minor changes between the county and joint jurisdiction. The changes to agricultural land, which is probably 90% of the land use within Hartford's proposed area, are mainly under concentrated animal feeding operations and notes that all liquid waste must be injected verse surface applied and states that the expansion of existing sites shall not exceed 500 animals. Otherwise the agriculture land use, residential land use, commercial land use and industrial land use are all very similar to the current county regulations. A public meeting to discuss Hartford's proposed joint jurisdiction area with the property owners within the proposed joint jurisdiction area, county staff and commissioners is set for Tuesday, October 29th at 7pm in the former American Legion Building.

New Business:

- **Review Possible Amendments to City's Central Business District Zoning Regulations:** Chamber and Economic Development Director Jesse Fonkert was present to ask the Board to consider amending the zoning regulations for central business district. Mr. Fonkert has received approval from the city council to transfer the city owned lot (Lot 6 of Railway Addition) on the NW corner of Menth Street and Main Avenue to the Hartford Area Development Foundation to use for economic development. The HADF would like to go through an RFP (request for proposals) process to hopefully find a business to build on that site that would generate property tax, sales tax, 3rd penny tax and help continue the redevelopment efforts of our downtown area. The RFP will target "artisan distilleries" since this is market that is not being currently served within the Sioux Falls area. To be proactive and prepare for the possibility of getting an artisan distillery downtown, the city's current zoning regulations will need to be amended to allow this use as a "conditional use" in our Central Business District. After some discussion by the Board, it was the consensus to amend the city's zoning regulation to allow artisan distillery as a conditional use in both central business districts and community commercial districts. A draft ordinance amendment for this will be presented to the Planning and Zoning Board at their November 12th meeting.
- **Review City's Current Fence Regulations and Discuss Possible Amendments:** The city's current fence regulations don't really specify what can or cannot be used for fencing materials. Over the past few years, there have been some pretty questionable materials used for fences – pallets, chicken coop wire, wire, plastic sheeting, etc. – all of which generate complaints from neighboring property owners. The Board was asked to consider revising our current fence regulations to be more specific. The Board asked the city administrator to find out what some of the covenants in town allow for fencing to help aid the discussion. The Board will review again at their November 12th meeting

Updates:

- **Building Inspector Update:** Building Inspector Paul Clarke was present to provide a report to the Board. Currently there are 10 open single-family homes and 3 twin homes in various stages of construction. The city's building inspector and engineer are working with a property owner along Ruud Lane to correct a drainage issue.
- **City Administrator Update:** The Board was updated on various projects throughout the city. The Vandemark Road Project is nearing completion but a ribbon cutting date has not been scheduled. Plans for the Western sewer project are still being completed by the city engineer – loan funding for this project was secured last week. It was also noted that the first plat for Turtle Creek Highlands development has been approved.

Adjournment: A motion was made by Miles, second by Anderson to adjourn at 8:25 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.

Teresa Sidel, City Administrator