



# CITY OF HARTFORD

## CITY COUNCIL AGENDA REPORT

**Meeting Date:** October 23, 2023  
**Department:** Administration  
**Submitted By:** Linnea Rader, Interim Manager  
**Prepared By:** RoxAnn Rodney-Isbrecht, Clerk  
**Agenda Title:** Ordinances Recommended by Planning Commission

### RECOMMENDED ACTION:

The following two ordinances have been recommended by the Planning Commission for approval by City Council. The Planning Commission held the public hearing required by the ordinances.

A question about the necessity of the ordinances has been raised. Attorney Curcio will be available via phone for the October 23, 2023 meeting if needed to assist in explaining the legality. I'll share the information from our attorney below for Council consideration in preparation for the meeting.

City Council has two options.

**Option 1** – Approve the Ordinances as recommended by the Planning Commission. With this option;

- The Planning Commission would have the authority to make the decisions delegated to them as a Planning Commission.
- City Council would then act as the Zoning Board of Appeals (ZBA) and would be able to hear any appeals to Planning Commission decisions.
- If someone then disagreed with the ZBA decision, they would have the option to have their appeal heard by Circuit Court.

**Option 2** – Modify the Ordinances recommended by the Planning Commission to allow City Council to have final approval authority over special uses and PUDS. With this option;

- The Planning Commission would have the authority to make the decisions delegated to them as a Planning Commission.
- For decisions regarding special uses and PUDs, their recommendation would then come to City Council for final approval.
- With this option, appeals would have to be heard by Circuit Court.

**City Council CANNOT take away the authority of the Planning Commission with respect to site plans or other zoning decisions (anything other than special uses and PUDs).**

As the Interim City Manager who has reviewed the ordinances, discussed and reviewed the ordinances with the City's Attorney, and met with the Planning Commission, I recommend Option 1 – Approving the Ordinances as recommended by the Planning Commission and move the ordinances to first and second readings at the November and December Council meetings respectively.

Points to note: The appointment of the Planning Commission is important. Council needs to ensure that appointed officials on the Planning Commission are qualified and knowledgeable about Planning Commission topics. Having been involved in two Planning Commission meetings, I believe the members of the City's Planning Commission care very deeply about the City of Hartford and do a good job reviewing the information that comes before them.