

**CITY OF HARRINGTON**  
**ORDINANCE NO. 16-01**

**AN ORDINANCE AMENDING CHAPTER 440, ZONING, OF THE CODE OF THE CITY OF HARRINGTON RELATED TO CATEGORY B PLAN REVIEWS AND ZONING COMPLIANCE CERTIFICATES**

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF HARRINGTON IN COUNCIL MET:

**Section 1.** That § 440-287 B(3)(a) shall be amended by deleting the existing subsection and substituting in lieu thereof the following:

- (a) Changing the existing use to another permitted use in any zone will require an approval from the City of Harrington prior to any renovations or remodeling;

**Section 2.** That § 440-287 B(4) shall be amended by deleting the existing subsection and substituting in lieu thereof the following:

- (4) Minor subdivisions of three (3) lots or less and conversion of existing deeded lots to parcels;

**Section 3.** That § 440-298 shall be amended by deleting the existing section and substituting in lieu thereof the following:

**§440-298. Zoning compliance certificate required.**

The following conditions shall apply when issuing a zoning compliance certificate:

A. A zoning compliance certificate shall be required for:

- (1) the erection, construction, alteration, movement, conversion, extension, or enlargement of any building or structure; or
- (2) the adjustment of any lot line

All actions shall conform to the provisions of this chapter. The zoning compliance certificate shall be obtained from the City Manager.

B. The City Manager, at his or her discretion, may issue an emergency permit not in conformity with the provisions of this chapter when:

- (1) A building has been made uninhabitable by fire, wind, flood, or impact by motor vehicle or airplane, or similar natural or man-made disaster.

(2) A written statement by the applicant and a personal inspection have been filed certifying the dwelling to be uninhabitable due to fire, wind, flood, impact, or similar natural or man-made disaster.

- C. No zoning compliance certificate shall be issued for construction or alteration of any building(s) on a lot without frontage upon a public street improved to the satisfaction of the Planning Commission, or without access to public sewer and water services.
- D. Any filing fee shall accompany each application for a zoning compliance certificate in such amount as required by Chapter 180, Municipal Fees. All applications will be billed for professional services above and beyond the applicable fee if these services are needed to complete the application. The application must comply with § 292-1, Denial of permits or approvals for failure to comply with required payments, actions, or filings.
- E. A zoning compliance certificate issued in accordance with the provisions of this chapter shall become void 90 days after the date of its issuance if no application for a building permit has been made.

**Section 4.** That § 440-299 A shall be amended by deleting the existing subsection and substituting in lieu thereof the following:

A. Required documents for buildings and structures other than fences, signs, and those covered under § 440-293, Category B/administrative plan review procedures. The plot plan shall meet the requirements as to content and organization as may be established by the City Manager. Plans for zoning compliance review shall comply with all existing laws, regulations, and ordinances governing approval and provide sufficiently accurate dimensions and construction specifications to provide the data necessary for the issuance of construction permits. Plans must be legible. The plan shall show the North point, a scale not to exceed one inch equals 40 feet, the date, and the following:

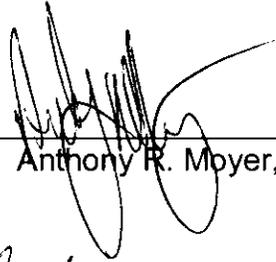
- (1) All existing property lines with dimensions;
- (2) All setback lines;
- (3) All existing structures (dimensions, total square footage, distance from all property lines);
- (4) Zoning classification (property and all adjoining properties);
- (5) Proposed building elevations and/or images of all sides, if applicable;
- (6) Proposed landscaping, if applicable;

- (7) All existing and proposed driveway/parking spaces/interior roadway areas and all dimensions, if applicable;
- (8) Adjacent street names and alleys, if applicable;
- (9) Revision table specifying dates for submittals and revisions;
- (10) Other information as may be required by the City Manager or City Engineer to adequately review the plan;
- (11) Sanitary sewer, public water, and storm drain locations, including the location of all lines and tie-ins;
- (12) Kent County tax parcel number;
- (13) All existing and proposed easements and rights-of-way, if applicable.

**Repealer.** All ordinances and parts of ordinances inconsistent with the provisions of this Ordinance are hereby repealed.

**Effective Date.** The Clerk of Council shall certify to the adoption of this Ordinance and cause the same to be published as required by law; and this Ordinance shall take effect and be in force from and after its approval by Council.

SO ORDAINED by the majority of Council Members present at a regular session of Harrington City Council, to be effective upon signing.

  
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Anthony R. Moyer, Mayor

Attest:   
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Kelly Blanchies, Clerk of Council

Date of Adoption: March 21, 2016

**SYNOPSIS**

This Ordinance amends Chapter 440 to clarify Category B plan reviews and to change the requirements for lot line adjustments from a Category B plan review to a zoning compliance certificate.

First Reading: February 22, 2016

Public Hearing: March 21, 2016

Second Reading: March 21, 2016