

**CITY OF HARRINGTON
ORDINANCE NO. 17-10**

AN ORDINANCE AMENDING CHAPTER 440, ZONING, OF THE CODE OF THE CITY OF HARRINGTON RELATED TO USES IN THE MANUFACTURING ZONE

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

Section 1. That § 440-9 E shall be amended by adding the following definitions:

BREWERY

A facility which brews ales, beers, cider, and other similar beverages. Retail and wholesale sales are only permitted for beverages produced on the premises.

DISTILLERY

A facility which distills and bottles liquors and spirits. Retail and wholesale sales are only permitted for beverages produced on the premises.

RECYCLING CENTERS AND PROCESSING FACILITIES

A facility used for the collection and processing of recyclable materials, such as newspapers, magazines, cardboard, and other paper products, glass, metal cans, and plastic containers or materials. Processing includes the preparation of material for shipment, or an end users' specification, by such means as baling, briquetting, compacting, flattening, grinding, crushing, mechanical sorting, shredding, cleaning, and remanufacturing. Processing facilities include storage and lading areas on-site, but do not include salvage yards or junk yards.

SAWMILL

A facility where logs or processed lumber are sawn, split, shaved, stripped, chipped, grinded, or otherwise further processed to produce lumber, wood shavings, wood chips, bedding or other wood products.

WINERY

An agricultural processing facility used for the commercial processing of grapes and other fruits into wine, or the processing of still wine into sparkling wine. Processing includes, crushing, fermenting, blending, aging, storage, and bottling. Retail and wholesale sales are only permitted for beverages produced on the premises.

Section 2. That § 440-96 shall be amended by deleting the existing section and substituting in lieu thereof the following:

§ 440-96. Use regulations.

- A. In the Manufacturing Zone (M), no building or premises shall be used and no building shall be erected or altered which is arranged, intended or designed to be used except for one or more of the following uses and complying with the requirements so indicated. Except as otherwise noted or defined separately, all uses mentioned in the Manufacturing Zone (M) can be referenced in the Standard Industrial Classification Manual of 1987.
- B. Purpose. The purpose of the Manufacturing Zone is to provide locations for the development of light- to moderate-intensity manufacturing, office, warehouse, wholesale, and research establishments and to provide employment opportunities in the manufacturing industry in close proximity to the City.
- C. Permitted uses. The following uses are permitted in the Manufacturing Zone:
- (1) Manufacturing, assembling, converting, altering, finishing, printing, publishing, cleaning, or any other processing, handling, or storage of products or materials such as scientific and precision instruments, photographic equipment, household appliances, communications equipment, household video and audio equipment, electric lighting and wiring equipment, toys, sporting and athletic goods or equipment, watches and clocks, millwork and furniture production, textile and clothing products, prefabricated and modular housing components, agricultural implements and farm machinery, grain mills (animal feed only), commercial printing and bookbinding, fabricated metal products, general industrial machinery and equipment, cut stone and stone products, HVAC equipment, and other similar uses as determined by the City Manager.
 - (2) Research, design, and development laboratories.
 - (3) Wholesale storage, warehousing and distribution facilities, building contractors' yards, and lumberyards.
 - (4) Public utility or quasi-public utility uses. Quasi-public utility uses shall include but not be limited to transmission and/or receiving towers for radio and television service for public or private use.
 - (5) Breweries, distilleries, and wineries.
 - (6) Food processing including beverage blending or bottling, bakery products, candy manufacturing, dairy products and ice cream, and fruit and vegetable processing and canning, but not including flour mills, meat packing and processing or slaughterhouses.

(7) Credit card or application processing or mailing business.

(8) Nursery, commercial greenhouse, and garden and agriculture supply sales.

D. Conditional uses. See Article XVI, Conditional Use Permits.

(1) Grain elevators, grain storage facilities, and feed mills.

(2) Flour mills.

(3) Manufacturing of bricks, cement, concrete, and related products.

(4) Meat packing and processing facilities.

(5) Recycling centers and processing facilities.

(6) Sawmills.

(7) Waste-to-energy plants and facilities.

(8) Wholesale storage and distribution of gasoline and other petroleum products.

(9) All Conditional Uses in the Manufacturing District shall require a two hundred fifty (250) feet setback from the nearest residential dwelling, church, or school.

E. All uses except sawmills, lumberyards, and building contractors' yards shall be conducted within a completely enclosed building with no open storage of raw, in-process, or finished material and supplies or waste material, except that finished or semi-finished products manufactured on the premises may be stored in the open if screened from the street by a landscaped screen, fence, or wall.

F. The front yard shall be maintained in a neat and attractive condition.

G. All fencing shall have a uniform and durable character and shall be properly maintained.

H. Vegetative screening and/or fencing is required when the use abuts a residential, commercial, or mixed used zoning district. The width, height, and material of screening shall be approved by the Planning Commission or City Manager.

Section 3. That § 440-97 shall be amended by deleting the existing section and substituting in lieu thereof the following:

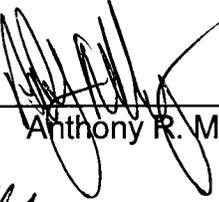
§ 440-97. Uses prohibited.

- A. Residences.
- B. Manufacturing uses involving asphalt, hot mix, asphalt bituminous concrete, charcoal, and fuel briquettes.
- C. Manufacturing uses involving primary production of the following products from raw materials: chemicals: aniline dyes, ammonia, carbide, caustic soda, cellulose, chlorine, carbon black and bone black, creosote, hydrogen and oxygen, industrial alcohol, nitrates (manufactured and natural) of an explosive nature, potash, plastic and synthetic resins, pyroxylin, rayon yarn, and hydrochloric, nitric, phosphoric, picric, and sulphuric acids; coal, coke, and tar products, including gas manufacturing; explosives; synthetic fertilizers; gelatin, glue, and size (animal); linoleum and oil cloth; matches; paint, varnishes, and turpentine; rubber (natural and synthetic); soaps, including fat rendering; and starch.
- D. The following processes: nitrating of cotton or other materials; magnesium foundry; reduction, refining, smelting, and alloying of metal or metal ores; refining secondary aluminum; refining petroleum products, such as gasoline, kerosene, naphtha, and lubricating oil; distillation of wood or bones; and chemical reduction and processing of wood pulp and fiber, including papermill operations.
- E. Operations involving stockyards and slaughterhouses.
- F. Storage of explosives.
- G. Quarries, stone crushers, screening plants, and storage of quarry screenings, accessory to such uses.
- H. Junkyards, automobile dismantling plants or storage of used parts of automobiles or other machines or vehicles or of dismantled or junked automobiles.
- I. Accessory uses shall not be permitted without a principal use.

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.



Anthony R. Moyer, Mayor

Attest: 

Kelly Blanchies, Clerk of Council

Date of Adoption: October 2, 2017

SYNOPSIS

This Ordinance amends Chapter 440, Zoning, to change the uses in the Manufacturing Zone (M).

First Reading: September 19, 2017

Public Hearing: October 2, 2017

Second Reading: October 2, 2017