



ORDINANCE 20-05

An Ordinance Amending Chapter 157, Economic Development and Redevelopment, of the Code of the City of Harrington Related to Incentives in the Downtown Development District and Repealing and Replacing Chapter 8, The Maps, of the Downtown Development District Plan

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

Section 1. That § 157-31 shall be amended by deleting the existing section and substituting in lieu thereof the following:

§ 157-31. Application of Single-Family Residential (R-1), Duplex Residential (R-2), Townhouse Residential (R-3), Multifamily Residential (R-4), and Neighborhood Commercial (C-1), Central Commercial (C-2), Service Commercial (C-3), Traditional Neighborhood Development (TND), Manufacturing (M), and Industrial Park (IMP) Zones Downtown Development District Incentives.

The incentive beneficiary shall qualify for incentives as outlined below.

Section 2. That § 157-32 shall be amended by deleting the existing section and substituting in lieu thereof the following:

§ 157-32. Definition of Downtown Development Area.

As shown in this article, the "Downtown Development District" shall be defined as the area shown on the Downtown Development District Map 1, Downtown Boundary as state in the Harrington Downtown Development District Plan (Revised).

Section 3. That § 157-33 shall be amended by deleting the existing section and substituting in lieu thereof the following:

§ 157-33. First-time home buyer abatement.

The incentive beneficiary shall be eligible for a one-time abatement of the first full tax assessment billing for an owner-occupied residential dwelling.

Section 4. That § 157-34 A shall be amended by deleting the existing subsection and substituting in lieu thereof the following:

- A. The incentive beneficiary shall qualify for a waiver of the business license fee for the first three years. The incentive beneficiary must apply for and obtain a business license from the City of Harrington.

Section 5. That § 157-35 shall be amended by deleting the existing section and substituting in lieu thereof the following:

§ 157-35. Category A or B plan review fee reduction and priority review status.

- A. The incentive beneficiary shall qualify for a reduction of \$200 for one of the following fees:
 - (1) Category A preliminary site plan review; or
 - (2) Category A final site plan review; or
 - (3) Category B administrative plan review.
- B. The incentive beneficiary shall qualify for priority review status and receive a response to applications for site plan review within 10 working days.

Section 6. That § 157-37 A shall be amended by replacing the term “may” with the term “shall.”

Section 7. That Chapter 157, Article IV shall be amended by adding the following sections:

§ 157-39. Water and sewer impact fee waiver for single-family detached, duplex dwellings, townhouse dwellings, multifamily dwellings, Central Commercial, Service Commercial, Manufacturing and Industrial Park waivers are based on the chart provided in Section 157-37 and Section 157-38.

- A. The incentive beneficiary may be eligible for a waiver of water and sewer impact fees for newly constructed single-family detached, duplex dwellings, townhouse dwellings, multifamily dwellings. Fees are based on the schedule in Chapter 180, Municipal Fees.
- B. Limit on number of impact fee waivers. The number of water and sewer impact fee waivers permitted under this section is limited to six per incentive beneficiary per fiscal year.
- C. The Certificate of Occupancy must be received within 18 months of applying for the building permit. If the Certificate of Occupancy is not issued within 18 months of the application of the building permit, the full amount of the waived impact fees shall be due prior to issuance of the Certificate of Occupancy.

- D. Fees that cannot be waived or reduced. Any fees or taxes assessed by the state, county, or school district or special fees payable for fire or public safety protection cannot be waived or reduced and must be paid by the incentive beneficiary to maintain eligibility under this chapter. These fees include, but are not limited to, community impact fees and Kent County sewer impact fees collected by the City.
- E. The incentive beneficiary shall be responsible for obtaining all required federal, state, county, and local permits and approvals as may be required to complete the project. The incentive beneficiary shall be responsible for all professional fees incurred by the City during the approval process.

§ 157-40. The incentive beneficiary must apply for the Downtown District incentives by completing an “Application for Downtown Development District Incentives” which must be attached to the Category A or Category B application.

Section 8. That Chapter 8, The Maps, of the Downtown Development District Plan shall be amended by deleting the existing chapter and substituting in lieu thereof the new Chapter 8, The Maps, attached hereto as Attachment A.

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.

Duane E. Bivans, Mayor

Attest: _____
Amanda Marlow, City Accountant

Date of Adoption: _____

SYNOPSIS

This Ordinance expands incentives in the Downtown Development District (DDD) and extends the DDD boundary.

First Reading: _____

Public Hearing: _____

Second Reading: _____