

ORDINANCE 23-05

An Ordinance Amending Article XV, Parking and Access, §440-216, Design Standards, Subsection B(4); Article XVI, Conditional Use Permits, §440-244, Conditions on Approval, Subsection D; and Article XVII, Board of Adjustment, §440-262, Duration of variance approval.

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

SECTION 1. That article XV, Parking and Access, §440-216 – Design Standards, Subsection B (4), shall be amended as follows:

§440-216 Design Standards.

B. Location of Parking areas.

(4) For all nonresidential zones other than the C-1 or C-2 Zones, off-street parking facilities may be located within the required front yard. ~~but shall not be nearer than 50 feet to any residential zone.~~ Parking lots and areas in non-residential zones shall be adequately screened from adjacent residentially zoned parcels.

SECTION 2. That Article XVI, Conditional Use Permits, §440-244 – Conditions on Approval, Subsection D, shall be amended as follows:

- D. The approval of a conditional use is valid for ~~one~~ three years. Unless permits are obtained, or construction or use is substantially underway, all provisions of the conditional use are automatically rescinded. Permits may be revoked by Council for failure to comply with the stated conditions of approval or applicable regulations.

SECTION 3. That article XVII, Board of Adjustment, §440-262 – Duration of variance approval shall be amended as follows:


After the Board of Adjustment has granted a variance, the variance so granted shall lapse after the expiration of ~~one~~ three years if no substantial construction, site plan, or subdivision plan approval or change of use has taken place in accordance with the plans for which such variance was granted.

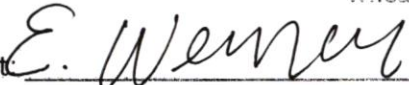
REPEALER. All ordinances and parts of ordinances inconsistent with the provisions of this Ordinance are hereby repealed.

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 it's approved by Council.

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


Micah Parker, Vice Mayor

Attest: 
Emma Werner, Clerk of Council

Date of Adoption: August 21, 2023

SYNOPSIS

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This ordinance amends: 1.) Article XV, Parking and Access, §440-216, Design Standards, Subsection B, in that it omits the prohibition of parking facilities within 50 feet of any residential zone; and permits construction of parking facilities in residentially-zoned districts so long as there is adequate screening from adjacent residentially zoned parcels; 2.) Article XVI, Conditional Use Permits, §440-244, Conditions on approval, Subsection D, to extend the duration of approval of a conditional use from one year to three years; and 3.) Article XVII, Board of Adjustment, §440-262, Duration of variance approval, to extend the duration from one year to three years.

First Reading: July 17, 2023, 2023

Public Hearing: August 21, 2023, 2023

Second Reading: August 21, 2023, 2023