

**ORDINANCE NO 2165**

**ORDINANCE AMENDING THE NORTHPORT ZONING  
ORDINANCE OF THE CITY OF NORTHPORT, ALABAMA**

**BE IT ORDAINED** by the City Council of the City of Northport, Alabama:

Pursuant to Section 11-52-78 of the Code of Alabama, 1975, as amended, that the Northport Flood Regulations is hereby amended in the following maimer:

WHEREAS, the City of Northport recognizes the need from time to time to make adjustments to the City's flood regulations; and

WHEREAS, the City of Northport also recognizes that such amendments serve to clarify, improve and update the standards under which flood regulations for the City are administered;

NOW, THEREFORE, BE IT ORDINANED by the City Council for the City of Northport, Alabama, that the, "Northport Flood Regulations" as it appears in the attached document shown as "Exhibit A" is hereby amended.

See "Exhibit A" attached

These amendments to the Northport Zoning Ordinance, shall become effective immediately upon its passage and advertisement as required by law.


**ORDAINED** this the 7<sup>th</sup> day of November, 2022.

CITY COUNCIL OF THE  
CITY OF NORTHPORT


BY:

  
\_\_\_\_\_  
Jeff Hogg, Council President

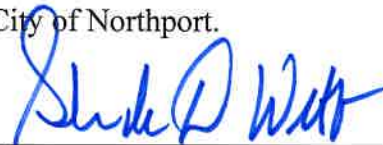
ATTEST:

  
\_\_\_\_\_  
Glenda D. Webb, City Administrator

**APPROVED** this the 7<sup>th</sup> day of November, 2022.

  
\_\_\_\_\_  
Bobby Herndon, Mayor

I hereby certify that the above and foregoing Ordinance was published on November 16, 2022, in the Northport Gazette, a newspaper of general circulation published in the City of Northport.



Glenda D. Webb, City Administrator

1st Reading: October 24, 2022  
Motion By: Washington  
2nd Reading: November 7, 2022  
Motion By: Bobo  
Second By: Washington  
Publication: November 16, 2022



**City of Northport  
Exhibit A**

Amendment to Zoning Ordinance

The City of Northport proposes to amend sections of the Zoning Ordinance pertaining to flood regulations, deferring to the requirements of the flood damage prevention ordinance and FEMA regulations. The following sections of the zoning ordinance would be amended:

**Section 412.03**

~~412.03. Permitted uses.~~ The following uses are permitted within the floodway fringe as a matter of right:

- ~~A. All uses that are permitted in designated open spaces.~~
- ~~B. All uses that are classified as agriculture, nurseries, and outdoor recreation.~~
- ~~C. Piers, bridges and bridge approaches, picnic shelters, and stormwater detention facilities, so long as the building permit application shows that a licensed engineer has certified that such structures are designed to withstand the forces exerted by the 100-year flood event at that location.~~

~~412.04. Building Elevation.~~ All other buildings or any residential, institutional, office, commercial and entertainment, commercial recreation, recreational rental dwelling, or nursery uses (other than those specifically named in this Section) may be permitted as conditional uses pursuant to Section 1003, provided that all habitable floor area shall be raised so that no floor, or its structural supports, or any utility line has less than one (1) foot of clearance between its lowest point and the 100-year flood elevation. Any reduction of cross-sectional area due to vertical supporting members shall be offset by compensatory storage. Vehicular access to such structures shall be at or higher than the 100-year base flood elevation (BFE).

~~*Exceptions to 412.04 above may be as follows subject to the approval of the City Engineer:*~~

- ~~A. A non-residential building may have its finished floor elevation below the BFE as long as it fully complies with FEMA requirements.~~
- ~~B. A non-residential building may have parking or parking access below BFE as long as it fully complies with FEMA requirements.~~

~~*Note: Evidence of full compliance with FEMA requirements must be provided at time of submission.*~~

~~412.05. Installation of fill materials.~~ Fill may be placed within the floodway fringe only when allowed as a conditional use pursuant to Section 1003. An application for such

conditional use shall be accompanied by detailed fill plans, showing existing and proposed conditions. If a structure is to be placed on the fill, the plans shall show the structure as well. In considering the application, the Planning Commission shall determine whether the proposed fill meets the general standards set forth in Section 1003, and the following additional standards:

- A. The cross-sectional area of a riverine floodplain shall not be reduced by more than two and one-half (2 ½) percent on either side of the centerline of the watercourse; an inland depressional floodplain may have its location and contours altered through cut and fill over 30 percent of its surface area.
- B. Compensatory storage shall be provided to offset the storage lost through the filling.
- C. All changes in velocity, depth of flood elevation, or storage shall be limited to the property owners who have been granted flood or flow easements, provided that in no event shall an increase in flood elevation be permitted if it would affect any existing building or bring any building to within one (1) foot of the flood elevation.
- D. In no instance shall the depth of fill in a riverine floodplain exceed five (5) feet, nor shall any fill be placed within 50 feet of the top of the stream bank or in a location which might be endangered by or accelerate a meander. In an inland depressional floodplain the depth of fill measured from the natural grade to the new surface shall not exceed five (5) feet.
- E. Fill shall consist of soil or rock materials only; sanitary landfills shall not be permitted in the floodplain. Further, all fill areas shall be stabilized with material that will insure and protect against erosion hazards, undercutting, and undermining.

**412.06. Filling in Floodway. See Section 1003.**

**412.07. Structural anchoring.** Any structure placed in the floodplain shall be anchored firmly to prevent floodwaters from carrying it downstream. Such anchoring shall be sufficient to withstand a flood velocity of six (6) feet per second. The Planning Commission shall require the applicant to submit the written opinion of a registered professional engineer that the proposed structural design meets this standard.

**Section 1003.01. Applicability.** Any use designated as a conditional use by Table 4-1 of this Ordinance shall comply with this Section. In addition, any performance residential use shall be approved only as a conditional use.

In addition, the following shall be approved only as conditional uses:

- A. Any use that involves filling of a floodplain.
- B. Any performance residential use.

**1003.06. Filling of Floodplain.** The filling of areas within the 100-year floodplain shall be approved only where plans and specifications have been submitted that meet all requirements of Section 412 and where the following conditions exist which necessitate the filling of the floodplain:

~~A. The property would otherwise be able to accommodate at least one residential dwelling with a lot meeting all requirements of Articles IV and VI but cannot, because of the floodplain, accommodate even one single family unit; or,~~

~~B. That the location and/or configuration of the buildable land are such that the intensity of the permitted land use cannot be realized without filling in the floodplain~~