

ORDINANCE NO. _____

**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 Zoning Ordinance is hereby amended in the following manner:

WHEREAS, the City of Northport recognizes the need from time to time to make adjustments to the City’s zoning standards; and

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

NOW, THEREFORE, BE IT ORDINANED by the City Council for the City of Northport, Alabama, that Ordinance No. 1779, “Northport Zoning Ordinance” as it appears in the attached document shown as “Exhibit A” and as it is represented by the Official Zoning Map of the City of Northport.

See “Exhibit A” attached

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

ADOPTED this the _____ day of _____, 2018.

CITY COUNCIL OF THE
CITY OF NORTHPORT

COUNCIL OF THE CITY OF NORTHPORT

BY: _____
Jay Logan, Council President

ATTEST:

Bruce Higginbotham, City Administrator

APPROVED this the _____ day of _____, 2018.

Donna Aaron, Mayor

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

Bruce Higginbotham, City Administrator

1st Reading: _____
Motion: _____
2nd Reading: _____
Motion By: _____
Second By: _____
Publication: _____

EXHIBIT A

Amend the following:

Section 301. Zoning Districts.

For the purpose of this Ordinance, all land and water areas in Northport are hereby divided into six (6) “General” zoning districts, as follows:

- Agricultural: AG
- Residential “Single Family”: ~~RS-4, through RS-150~~ [RS-1 through RS-4]
- Residential “Multi-Family”: RM-1, RM-2, RM-3
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305.02. Residential Single Family Districts (RS). These Districts are intended to preserve the character of existing neighborhoods and developments under construction at the time of adoption of this Ordinance. It is designed to prevent these neighborhoods and subdivisions from becoming nonconforming under the terms of this Ordinance. This District is also intended to provide for future development of land where a Residential District is deemed the most appropriate zoning classification, and a preliminary or final plat for development of the land has been approved by the Planning Commission. It is also intended to provide for in-filling of existing neighborhoods on vacant lots with dwellings of like kind as defined in Section 203 of this Ordinance.

~~Because there are a number of different lot sizes in Residential Districts, the Zoning Map depicts these various areas with the letters “RS” sub-designated by a number. The number indicates the minimum lot size in thousands of square feet. For example, RS-20 indicates that 20,000 square feet is the minimum lot size for the District so designated.~~ Occupancy in RS zones is limited to “Family” as defined in Section 203.

Certain structures and uses required to serve governmental, educational, religious, noncommercial, recreational, and other needs of such areas may be permitted as outright or as conditional uses within such districts, subject to restrictions and requirements intended to preserve and protect the single-family residential character of the districts.

Table 6-2: Lot Area, Setback, Bulk Regulations and Parking Requirements: Conventional Subdivisions.

Zone ¹	Min. Lot Area (Sq. Ft.)	Min. Lot Width ² (Ft.)	Setbacks (feet)					ISR ³	Height (Ft.)	Off-Street Parking
			Front	Rear	Total Side	Min. Side	Side-yard on-Street			
RS-150	150,000	125	45	50	40	18	25	.10	35	2
RS-100	100,000	125	45	50	40	18	25	.10	35	2
RS-90	90,000	125	45	50	40	18	25	.10	35	2
RS-80	80,000	125	45	50	40	18	25	.10	35	2
RS-65	65,000	125	45	50	35	16	25	.10	35	2
RS-55	55,000	125	45	50	35	16	25	.12	35	2
RS-45	45,000	125	45	50	35	16	25	.12	35	2
RS-35	35,000	115	40	50	35	15	25	.15	35	2
RS-30	30,000	115	40	50	35	15	25	.15	35	2
RS-25	25,000	115	40	45	35	15	25	.20	35	2
RS-20	20,000	110	40	45	35	15	25	.28	35	2
RS-18	18,000	100	35	42	30	14	25	.32	35	2
RS-15	15,000	90	35	42	30	14	25	.32	35	2
RS-14	14,000	80	35	40	30	14	25	.36	35	2
RS-12	12,000	75	30	35	25	12	25	.36	35	2
RS-11	11,000	75	30	35	25	12	20	.36	35	2
RS-10	10,000	65	30	30	25	12	20	.38	35	2
RS-9 ⁴	9,000	65	25	30	25	12	20	.38	35	2
RS-8 ⁴	8,000	60	25	30	25	12	20	.40	35	2
RS-6 ⁴	6,000	60	25	30	22	10	20	.43	35	2
RS-5 ⁴	5,000	55	20	25	20	8	20	.43	35	2
RS-4 ⁴	4,000	55	20	25	20	8	20	.43	35	2

¹This column indicates the regulations applicable to Residential (RS) Districts, which have different standards according to the minimum lot size of the particular district. The minimum lot size of a Residential (RS) District varies and is a function of the character of that district as of the date of enactment of this Ordinance. ~~The number following “RS” in each row of this table designates the minimum lot size in thousands of square feet (as the district is designated on the official zoning map). Thus, the minimum lot area in a district designated RS-80 is 80,000 square feet.~~

Unless a Special District zoning is requested and a Master Plan submitted, lots must be sized and developed according to the zoning requested.

²In cases where side lot line are not parallel because the lot fronts on a curved right-of-way, minimum width at road frontage shall be as follows:

1. Curved right-of-way: 75 percent of normal width requirement.
2. Subdivision cul-de-sac: 50 percent of normal width requirement

Width at road frontage shall be measured along a straight line connecting the foremost points of the side lot line.

³Maximum Impervious Surface Ratio.

⁴Developments containing lots of 9,000 square feet or less in size are required to have a minimum of 20% Open Space. See Section 512.01.

Replace Current 'Table 6-2' with the following:

Table 6-2: Lot Area, Setback, Bulk Regulations and Parking Requirements: Conventional Subdivisions.

Zone ¹	Min. Lot Area (Sq. Ft.)	Min. Lot Width ² (Ft.)	Setbacks (in feet)				ISR ³	Height (Ft.)	Off-Street Parking
			Front	Rear	Side Yard	Side yard on Street			
RS-1	15,000	95	40	50	14	25	0.30	35	2
RS-2	12,000	85	35	35	12	25	0.40	35	2
RS-3	9,000	75	30	35	10	20	0.45	35	2
RS-4 ⁴	6,000	60	20	20	7	15	0.50	35	2

Add the following:

603.04. Infill/Existing Neighborhoods. The intent of this section is to ensure neighborhood compatibility, maintain harmony and character of existing residential areas, and ensure residential infill development occurs in a desirable manner.

For subdivisions developed and lots platted prior to the adoption of this Zoning Ordinance (Ordinance 1779; April 2, 2012), every attempt should be made to comply with the current zoning standards. The Planning Director and/or Zoning Administrator may determine that compliance with current zoning setbacks are unreasonable or would create a house out of character with the neighborhood. The following options are permitted to be used:

1. Setbacks found in the zoning ordinance in effect immediately prior to Ord. 1779
2. Setbacks found on the recorded plat or master plan
3. For front setbacks: an average of the front setbacks for the lots with houses adjacent to and on the same side of the street of the proposed house

If the above options are unable to be used or would create a layout out of character with the neighborhood, as determined by the Planning Director and/or Zoning Administrator, then a variance must be sought through the Zoning Board of Adjustment.