

ORDINANCE NUMBER 2018-02

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF OXFORD, ARTICLE 6, SPECIAL DISTRICTS, SECTION 6.02, FC FLOOD PLAIN AND CONSERVATION DISTRICT (ORDINANCE NO. 2017-20, 9/26/2017)

BE IT ORDAINED by the City Council of the City of Oxford, Alabama, as follows:

SECTION 1. Upon recommendation of the Planning Board of the City of Oxford the Council hereby amends Article 6, Special Districts, Section 6.02, FC Flood Plain and Conservation District of the above referenced Ordinance so that it shall read in its entirety as follows:

Section 6.02 FC Flood Plain and Conservation District

1. *Purpose.* The purpose of this zone is to protect public health, safety, and general welfare; to protect persons, private and public property from the hazards of flood water inundation, and to protect the community from costs which are incurred when urban development occurs in flood plains. The area subjected to flood hazard will be conserved for open land uses, agricultural uses, recreational areas, and other uses which do not require extensive buildings within the flood plain.
2. *Uses Permitted.* All uses not specifically permitted below are prohibited.
 - a) Uses Permitted by Right: agricultural uses and crop production; wildlife refuges; including game preserves, sanctuaries; and forest reserves; watershed conservation areas and reservoirs; parks; open storage usages, and parking areas; cemeteries
 - b) Uses requiring Site Plan Approval. The following uses may be permitted upon review and approval of a site plan by the Planning Commission in accordance with §11.05: outdoor recreation, including but not limited to miniature golf, amusement parks, and drive-in theaters; aircraft landing strips
 - c) Conditional Uses. The following uses may be permitted upon approval by the Planning Commission in accordance with §11.06: quarries such as sand, gravel, stone, topsoil and borrow pit; earth and sanitary landfills; dumps
3. *Special Construction Requirements.*
 - a) Not more than 30% of the site may contain impervious surfaces.
 - b) No permanent building or structure, except for those customary to agricultural uses, may be constructed in the FC District, unless permitted under the following terms:

When specifically approved by the Commission as an exception to these regulations under the conditions herein listed; and after a public hearing before the Council, the following may be permitted:

 - 1) Permanent structures associated with the uses permitted, provided that the first floor level is at or above an elevation of the flood of record plus one ft, and that

such construction may not impede the flow of flood waters nor increase the hazard of flooding either upstream or downstream.

- 2) Earth fill or other materials may not be used to raise the elevation of the land, unless the fill proposed does not restrict the flow of water and unduly increase flood height and hazard, as determined by the Council upon recommendation by the Commission based upon an engineering report prepared by an engineer at the expense of the land owner.
- 3) Development of natural resources and extraction of raw materials such as rock, gravel, and sand; subject to the following:
 - (i) No excavation may approach nearer than 300 ft to any residential district; 100 ft to any arterial or collector street; or nearer than 60 ft to any other street.
 - (ii) Side slope of the excavation must be no steeper than 2:1 (horizontal: vertical) and a vegetative cover of such slopes must consist of a short, perennial, drought-resistant grass which will permit the establishment of a good sod cover.
 - (iii) Filing with the city clerk of a restrictive covenant providing that no foreign matter such as rubbish, car bodies, refuse, etc., may be deposited within the excavation area. Such covenant must be approved as to form by the city attorney, binding upon the applicants, their heirs, successors, or assigns.
 - (iv) A performance bond is required in such an amount and for such length of time as may be determined by the Council to be necessary to guarantee excavation in accordance with the provisions set forth above, and provided further that the Council may at its discretion and in such manner as is consistent with the public health, safety, and welfare, modify or waive any of the conditions if it can be clearly demonstrated that such conditions are not required to protect public health, safety, convenience, and general welfare.

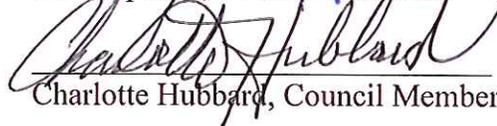
SECTION TWO: This Ordinance shall become effective upon passage by the Council and by advertising as required by law.

APPROVED and ADOPTED this 13th day of February, 2018.

CITY COUNCIL OF THE CITY OF
OXFORD, ALABAMA



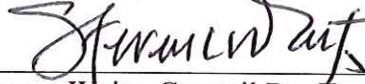
Chris Spurlin, Council President



Charlotte Hubbard, Council Member

ABSENT

Phil Gardner, Council Member



Steven Waits, Council Pro Tempore



Mike Henderson, Council Member

APPROVED:


Alton Craft, Mayor

ATTEST:


Alan B. Atkinson, City Clerk

CERTIFICATION OF ADOPTION

I hereby certify that the attached ordinance was duly adopted by the Oxford City Council in regular session assembled on the 13th day of February, 2018, and is recorded in the official minutes of the Oxford City Council.


Alan B. Atkinson, City Clerk

CERTIFICATION OF PUBLICATION

I, Alan B. Atkinson, City Clerk for the City of Oxford, Alabama, do hereby certify this Ordinance was posted in three public places within the City and at Oxford City Hall beginning on the 15th day of February, 2018, as in accordance with the provisions of Code of Alabama, 1975, Section 11-45-8.


Alan B. Atkinson, City Clerk