

ORDINANCE NO. ____

AN ORDINANCE AMENDING CHAPTER 6 (FLOODS – A FLOOD DAMAGE PREVENTION PROGRAM) OF THE NORTH LITTLE ROCK MUNICIPAL CODE; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.

WHEREAS, with the adoption of Ordinance No. 8733 on May 11, 2015, the North Little Rock City Council adopted North Little Rock Municipal Code (“NLRMC”) Chapter 6, Floods – A Flood Damage Prevention Program (as amended by Ordinance No. 8748, adopted June 22, 2015); and

WHEREAS, the Department of Housing and Urban Development (“HUD”) provides federally insured mortgage financing through the Federal Housing Administration (“FHA”); and

WHEREAS, HUD requires that the homes of FHA mortgage holders be at least two (2) feet above the base flood elevation; and

WHEREAS, beginning on January 1, 2025, the Arkansas Department of Agriculture will require new housing in Special Flood Hazard Areas to be at least two (2) feet above the base flood elevation; and

WHEREAS, it is in the best interests of the City and its residents to amend NLRMC Chapter 6 to reflect these changes in order to protect current and prospective buyers from losing access to FHA mortgages.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NORTH LITTLE ROCK, ARKANSAS:

SECTION 1: That North Little Rock Municipal Code Chapter 6, Floods - A Flood Damage Prevention Program, is hereby amended to incorporate the revisions shown in Exhibit A attached hereto.

Editor’s note: Changes are in **bold**. Deletions are denoted in “**red**” by ~~strike through~~ and additions in “**blue**” by underline.

SECTION 2: That the provisions of this Ordinance are hereby declared to be severable, and if any section, phrase or provision shall be declared or held invalid, such invalidity shall not affect the remainder of the sections, phrases or provisions.

SECTION 3: That it is hereby found and determined that the amendments to NLRMC Chapter 6 as provided for herein is to be in the best interests of the City, and is immediately necessary in order to insure the proper and orderly growth of this land and of the City of North Little Rock, Arkansas, and being necessary for the immediate preservation of the public health, safety and welfare; THEREFORE, an emergency is hereby declared to exist, and this Ordinance shall be in full force and effect from and after its passage and approval.

PASSED:

APPROVED:

Mayor Terry C. Hartwick

SPONSOR:

ATTEST:

TERRY C. Hartwick
Mayor Terry C. Hartwick

Diane Whitbey, City Clerk

APPROVED AS TO FORM:

Amy Beckman Fields
Amy Beckman Fields, City Attorney

PREPARED BY THE OFFICE OF THE CITY ATTORNEY/kt

FILED 10:30 A.M. _____ P.M.

By Amy Fields GA

DATE 11-9-24

Diane Whitbey, City Clerk and Collector
North Little Rock, Arkansas

RECEIVED BY _____

Exhibit A

Section 2 RISK ZONE SPECIFIC STANDARDS

4.2.1 Risk Zone Specific Standards.

In addition to the General Standards, the following standards apply to specific development types in specific Risk Zones. Risk Zones listed in this chapter that do not appear on the current FIRM are not applicable.

I. In AE or A1-30 Risk Zones

High risk areas of stream channel and adjacent floodplain.

A. For Residential Structures in Zone AE or A1-30.

- (1) For all new residential structures, the top surface of the lowest floor must have an elevation ~~1-foot~~ 2 feet above the published BFE. This elevation must be documented on an Elevation Certificate properly completed by a Professional Engineer, Surveyor or Architect licensed to practice in the State of Arkansas.

...

C. For Manufactured Homes in Zone AE or A1-30.

- (1) All manufactured homes that are placed or substantially improved on sites:

...

- d) In an existing manufactured home park or subdivision on which a manufactured home has incurred "substantial damage" as a result of a flood, be elevated on a permanent foundation such that the lowest floor of the manufactured home is elevated ~~1-foot~~ 2 feet above the base flood elevation and be securely anchored to an adequately anchored foundation system to resist flotation, collapse, and lateral movement.
- (2) Require that manufactured homes be placed or substantially improved on sites in an existing manufactured home park or subdivision on the community's FIRM that are not subject to the provisions of paragraph (1.) of this section be elevated so that either:
 - a) The lowest floor of the manufactured home is ~~1-foot~~ 2 feet above the base flood elevation, or

...

III. In AH or AO Risk Zones
Special Flood Hazard Areas of shallow flooding.

A. For Residential Structures in Zones AH or AO.

- (1) All new residential structures must be constructed with the top surface of the lowest floor elevated ~~1-foot~~ 2 feet above the published BFE, or 1 foot above the highest adjacent grade in addition to the depth number specified (at least 2 feet if no depth number is specified) on the community's FIRM. This elevation must be documented on an Elevation Certificate properly completed by a Professional Engineer, Surveyor or Architect licensed to practice in the State of Arkansas.

...

C. For Manufactured Homes in Zones AH or AO.

- (1) All manufactured homes that are placed or substantially improved on sites:

...

- d) In an existing manufactured home park or subdivision on which a manufactured home has incurred "substantial damage" as a result of a flood, be elevated on a permanent foundation such that the lowest floor of the manufactured home is elevated ~~1-foot~~ 2 feet above the published BFE, or 1 foot above the highest adjacent grade in addition to the depth number specified (at least 2 feet if no depth number is specified) on the community's FIRM, and be securely anchored to an adequately anchored foundation system to resist flotation, collapse, and lateral movement.

...

IV. In "A" Risk Zones
Special Flood Hazard Areas with no base flood elevations determined.

...

B. For Residential Structures in Zone A.

- (1) For all new residential structures, the top surface of the lowest floor must have an elevation ~~1-foot~~ 2 feet above the BFE. This elevation must be documented on an Elevation Certificate properly completed by a Professional Engineer, Surveyor or Architect licensed to practice in the State of Arkansas.

...

D. For Manufactured Homes in Zone A

(1) All manufactured homes that are placed or substantially improved on sites:

...

d) In an existing manufactured home park or subdivision on which a manufactured home has incurred "substantial damage" as a result of a flood, be elevated on a permanent foundation such that the lowest floor of the manufactured home is elevated ~~1-foot~~ 2 feet above the base flood elevation and be securely anchored to an adequately anchored foundation system to resist flotation, collapse, and lateral movement.

(2) Require that manufactured homes be placed or substantially improved on sites in an existing manufactured home park or subdivision on the community's FIRM that are not subject to the provisions of paragraph (1.) of this section be elevated so that either:

a) The lowest floor of the manufactured home is ~~1-foot~~ 2 feet above the base flood elevation; or