O-22- 48

**ORDINANCE NO. _____**

**AN ORDINANCE REPEALING ORDINANCE NO. 9285 TO REVOKE A CONDITIONAL USE FOR A CAR LOT LOCATED AT 2001 EAST BROADWAY STREET IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.**

WHEREAS, on September 14, 2020, the City Council of the City of North Little Rock, Arkansas ("the City") adopted Ordinance No. 9285 (attached hereto as Exhibit A), granting a conditional use of land for a car lot located at 2001 East Broadway Street; and

WHEREAS, Article 8, Section 8.1.3(C) of the North Little Rock Zoning Ordinance (Ordinance No. 9263) provides that applicants who are granted a conditional use must obtain a business license from the City within one year from date of approval, and failure to obtain a permit within the allotted time will result in notice of termination of the conditional use; and

WHEREAS, the owner of the above mentioned real property has not obtained a business license for the conditional use; and

WHEREAS, a legal advertisement of notice of a public hearing held May 10, 2022 at 4:00 p.m. was placed in the newspaper for a revocation hearing at the North Little Rock Planning Commission meeting; and

WHEREAS, the North Little Rock Planning Commission approved revocation of the conditional use (7 affirmative; 1 absent; 1 vacant) on May 10, 2021.

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

SECTION 1: That Ordinance No. 9285, adopted September 14, 2020, granting a conditional use of land for a car lot located at 2001 East Broadway Street is hereby repealed, and the conditional use granted therein is hereby revoked.

SECTION 2: That all ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of the conflict.

SECTION 3: 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 4: It is hereby found and determined that no business license was obtained for the previously granted conditional use, and there is an immediate need to revoke the conditional use in order to comply with the North Little Rock Zoning Ordinance and return the herein stated real property to its original status 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

SPONSORS:

ATTEST:

Terry C. Hartwick

Mayor Terry C. Hartwick

Diane Whitbey, City Clerk

APPROVED AS TO FORM:

Amy Beckman Fields, City Attorney

PREPARED BY THE OFFICE OF THE CITY ATTORNEY/kt

FILED 11:00 A.M. _____ P.M.

By Amy Fields

DATE 6-7-22

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

RECEIVED BY

EXHIBIT
A

O-20-84

ORDINANCE NO. 9285

**AN ORDINANCE GRANTING A CONDITIONAL USE TO ALLOW A CAR LOT IN A C4 ZONE FOR CERTAIN REAL PROPERTY LOCATED AT 2001 E. BROADWAY STREET IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.**

WHEREAS, application was duly made by Eric James and Pierre Grimes seeking a conditional use for property located at 2001 E. Broadway Street to allow a car lot in a C4 zone, which application was duly considered and approved (8 affirmative votes, 1 absent) by the North Little Rock Planning Commission at a regularly scheduled meeting thereof, held on August 11, 2020.

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

SECTION 1: That a Conditional Use is approved for a car lot in a C4 zone for the subject real property located at 2001 E. Broadway Street in the City of North Little Rock, Pulaski County, Arkansas, being more particularly described as follows:

Lot 7, Block 12 in the Washington Avenue Subdivision of the City of North Little Rock, Pulaski County, Arkansas (See maps attached hereto as Exhibit A.)

SECTION 2: That this Conditional Use shall be subject to the following:

1. Hours of operation: 8AM – 8PM; Monday – Saturday.
2. Fences shall not be allowed in the front yard of a vehicle sales lot, except as mandated under Article 15 hereof.
3. Existing fences located in the front yard of a vehicle sales lot shall be removed, unless required when adjacent to residential use.
4. Six foot wood privacy fence shall be required when vehicle sales lot abuts a residential use. Fences shall not extend beyond the front building line of the abutting residential use.
5. Vehicle sales lot shall not utilize barb wire or razor wire. Any existing barb wire or razor wire shall be removed.
6. There shall be a ratio of one vehicle per every 450 square feet of open lot area. This ratio shall include sales, employee, and customer vehicles. Open lot area does not include any structures. This allows for 5 cars on the lot at any one time.
7. All exterior vehicle sales lot lighting, located on a building or free standing, shall be shielded and directed downward. Lighting shall be directed away from abutting residential uses.
8. Sales vehicles shall be displayed on one of the following surfaces: asphalt paving or concrete. Asphalt paving shall met the standards of the City Engineer. Sales vehicles shall not be displayed on grass or gravel surfaces.
9. All signage shall meet the requirements of Article 14 of the Zoning Ordinance.

10. No inoperable or wrecked vehicles shall be stored or sold from the sales lot. Vehicle sales lots shall not store inoperable or wrecked vehicles, nor any parts thereof, as those terms defined under the North Little Rock Property Management and Nuisance Abatement Code.
11. Vehicle sales lot shall be maintained at all times.
12. Sales vehicles shall be locked and secured after business hours.
13. Sales vehicles shall not be used as storage.
14. Vehicle sales lot and any structures located on the lot shall meet all applicable Federal, State, County, and City requirements and codes.
15. Business License to be issued after Planning Staff confirmation of requirements.
16. Business License holder understands that failure to comply with these conditions may result in loss of the Conditional Use and/or loss of Business License and/or removal of Electric Power Meter.

SECTION 3: That all ordinances or parts of ordinance in conflict herewith are hereby repealed to the extent of the conflict.

SECTION 4: 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 5: It is hereby found and determined that the car lot as described herein is compatible with other businesses in the area and that the conditional use is immediately necessary in order to insure the proper and orderly growth and development 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: 9/14/2020

APPROVED: Joe A. Smith

Mayor Joe A. Smith

SPONSOR: Maurice Taylor

Council Member Maurice Taylor

ATTEST: Diane Whitbey

Diane Whitbey, City Clerk

APPROVED AS TO FORM:

Amy Beckman Fields, City Attorney

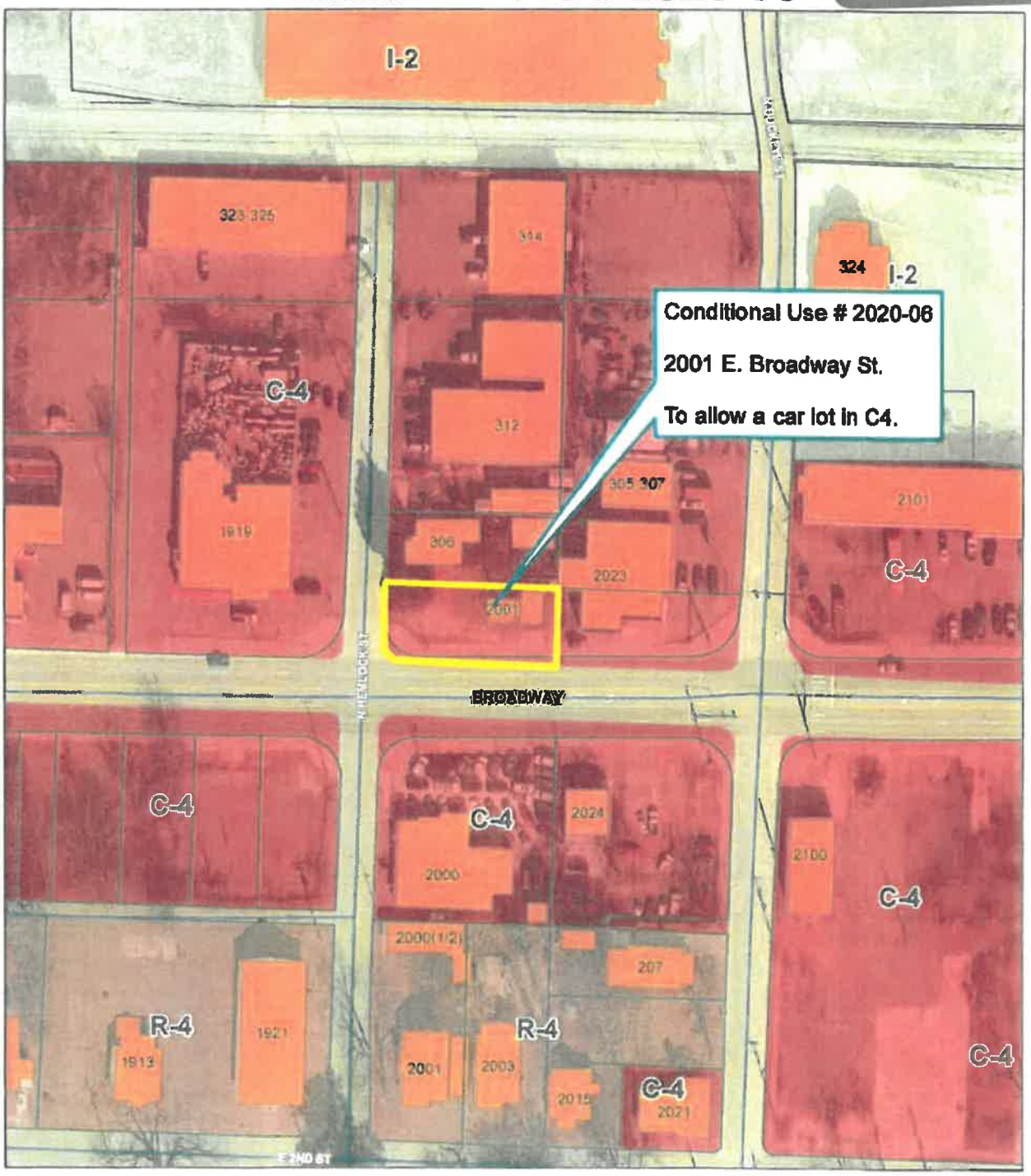
PREPARED BY THE OFFICE OF THE CITY ATTORNEY/kt

FILED 10:00 A.M. _____ P.M.
By Amy Fields, CA
DATE 9-8-20
**Diane Whitbey, City Clerk and Collector**
**North Little Rock, Arkansas**
RECEIVED BY

EXHIBIT

A

# Conditional Use # 2020-06




Zoning Map

1 inch = 100 feet

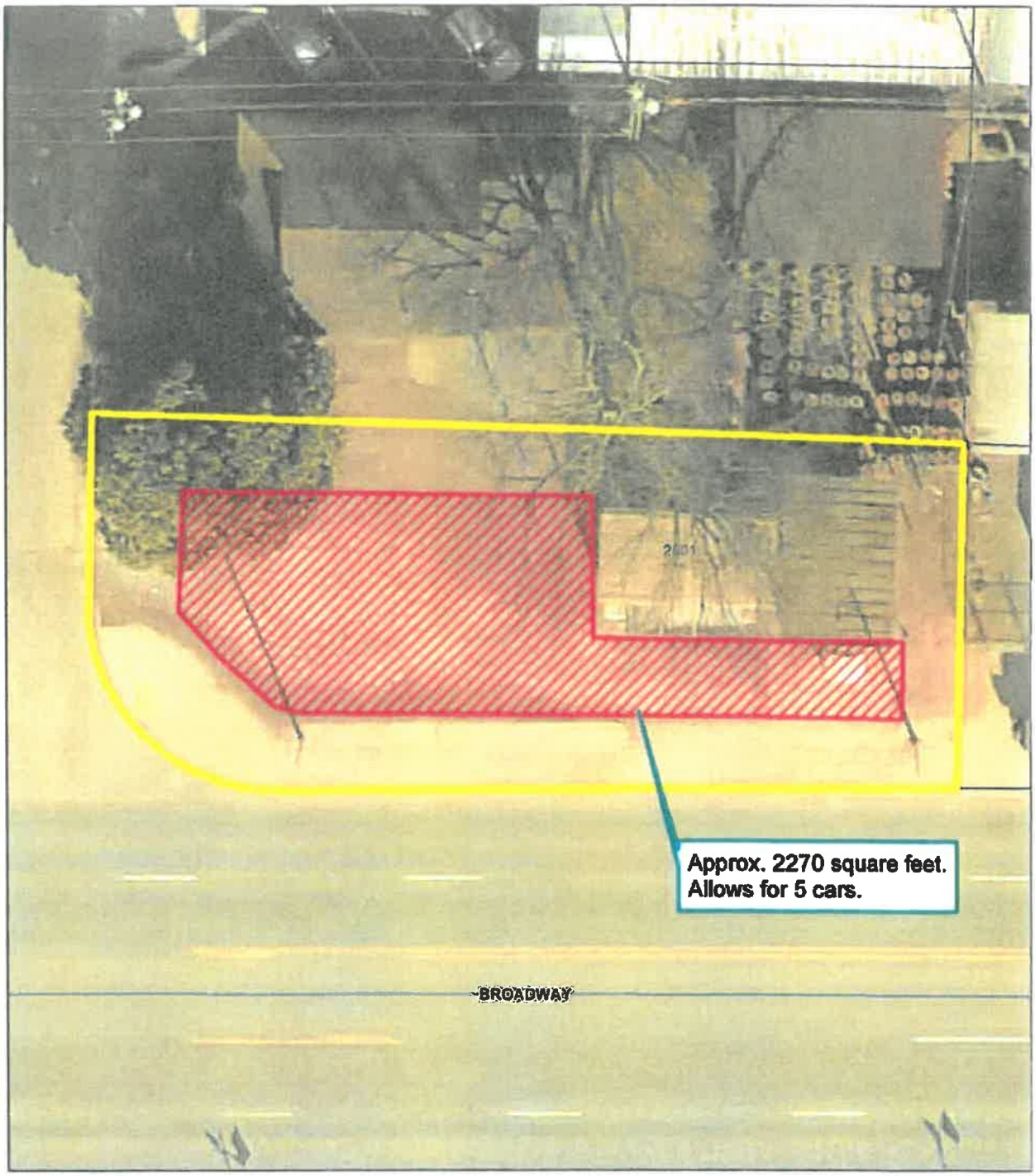
0 50 100 200 Feet

N W E S

Date: 6/26/2020

Map is not to survey accuracy

# Conditional Use # 2020-06




Zoning Map

1 inch = 20 feet

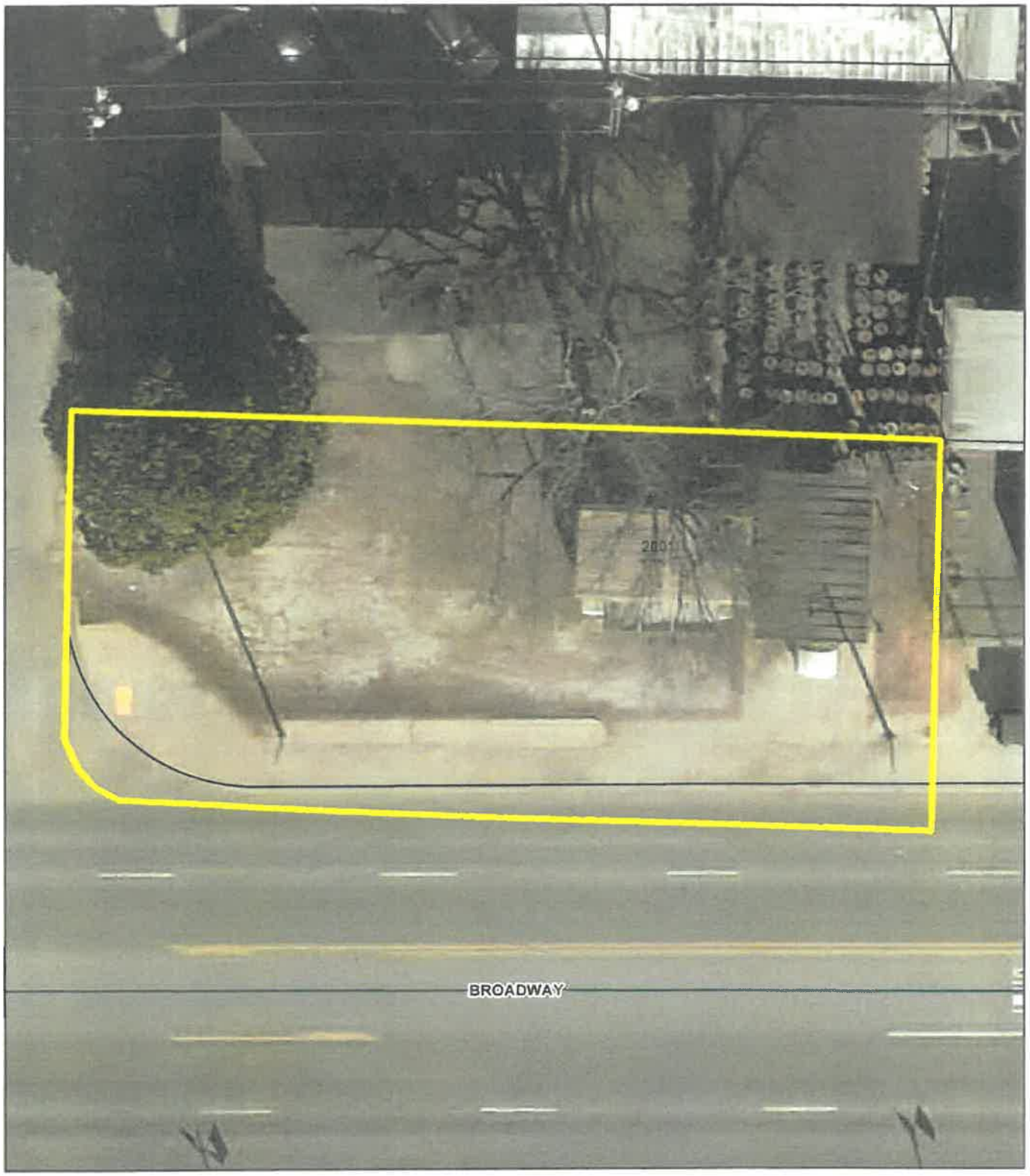
0 10 20 40 Feet

N W E S

Date: 7/9/2020

Map is not to survey accuracy

# Conditional Use # 2020-06




Ortho Map

1 inch = 20 feet

0 10 20 40 Feet

N W E S

Date: 6/26/2020

Map is not to survey accuracy