O-22-82

ORDINANCE NO. _____

AN ORDINANCE AMENDING ORDINANCE NO. 9493, WHICH GRANTED A CONDITIONAL USE TO ALLOW AN AUTO SALES LOT IN A C4 ZONE FOR CERTAIN REAL PROPERTY LOCATED AT 1815 EAST BROADWAY STREET IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.

WHEREAS, on August 8, 2022, the City adopted Ordinance No. 9493, granting a Conditional Use to allow an auto sales lot in a C4 zone for certain real property located at 1815 East Broadway Street; and

WHEREAS, Veronica Edwards of Brooks Autoplex Corporation, who sought the Conditional Use, has requested a waiver of the requirement preventing fences in the front yard of the business.

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

SECTION 1: That Section 2 of Ordinance No. 9357 is hereby amended as follows:

Editor's note: Changes are in **bold**; deletions are denoted in "**red**" by ~~strikethrough~~ and additions in "**blue**" by underline.

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

1. 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. Based on the current paved open area on the lot a maximum of 25 vehicles is allowed.
2. A six (6) foot opaque privacy fence or a solid masonry wall shall be required when automobile/vehicle outdoor sales or leasing lot abuts a residential use or zoning district. Fences or walls shall not extend beyond the front building line of the abutting residential use or zoning district.
3. ~~**Fences shall not be allowed in the front yard of an automobile/vehicle outdoor sales or leasing lot, except as otherwise required by separate regulation.**~~
3. Existing fences located in the front yard of an automobile/vehicle outdoor sales or leasing lot shall be removed, unless required when adjacent to residential use.
4. Automobile/vehicle outdoor sales or leasing lots shall not utilize barbed wire or razor wire. Any existing barbed wire or razor wire shall be removed.
5. All exterior automobile/vehicle outdoor sales or leasing lot lighting, located on a building or free standing, shall be shielded and directed downward. Lighting shall be directed away from abutting residential use or zoning district.
6. Sales or lease vehicles shall be displayed on one of the following surfaces: asphalt paving or concrete. Asphalt paving shall meet the Standards of Article 6 and

approved by the City Engineer. Sale or lease vehicles shall not be displayed on grass or gravel surfaces.

7. Automobile/vehicle outdoor sales or leasing lots and any structures located on the lot shall meet all applicable City, County, State and Federal requirements and codes.
8. All signage shall meet the requirements of Article 14, Signs of the Zoning Ordinance.
9. Sale vehicles shall be secured after business hours and shall not be used as storage.
10. No inoperable or wrecked vehicles shall be stored or sold from the sales lot nor any vehicle parts as defined under Chapter 8 of the North Little Rock Code, Property Maintenance and Nuisance Abatement Code.
11. Vehicle sales lot shall be maintained at all times.
12. The Planning Department shall perform an inspection to confirm all requirements of the approval have been met.
13. By receipt of the City of North Little Rock business license, the holder shall acknowledge that failure to comply with these conditions may result in loss of the Conditional Use and/or removal of electric power meter.
14. Meet the requirements of the NLR Fire Marshal and NLR Wastewater.
15. Hours of operation: Monday – Saturday, 9 a.m. – 5 p.m

SECTION 2: That all ordinances or parts of ordinance 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 the amendment as described herein is compatible with other businesses in the area and 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: APPROVED:

_____ _____

Mayor Terry C. Hartwick

SPONSOR: ATTEST:

Maurice Taylor

Council Member Maurice Taylor Diane Whitbey, City Clerk

APPROVED AS TO FORM:

Amy Beckman Fields, City Attorney

PREPARED BY THE OFFICE OF THE CITY ATTORNEY/kt

FILED 11:04 A.M. _____ P.M.

By Amy Fields CA

DATE 8/16/22

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

RECEIVED BY _____