

ORDINANCE NO. _____

AN ORDINANCE AMENDING ORDINANCE NO. 9309, WHICH GRANTED A SPECIAL USE TO ALLOW OUTDOOR SALES, DISPLAY, FOOD TRUCKS AND ENTERTAINMENT IN AN I2 ZONE FOR CERTAIN REAL PROPERTY LOCATED AT 7420 COUNTS MASSIE ROAD IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.

WHEREAS, on November 23, 2020, the North Little Rock City Council adopted Ordinance No. 9309, which granted a Special Use to allow outdoor sales, display, food truck and entertainment in an I2 zone for certain real property located at 7240 Counts Massie Road; and

WHEREAS, it is necessary to reduce the maximum number of tents allowed on the property.

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. 9309 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 Special Use shall be subject to the following:

1. Business hours of operation: Monday – Sunday 6am - 8pm
2. Stripe and provide required signage for handicap parking.
3. Allow outdoor sales during business hours
4. Outdoor sales permitted under 10' x 10' tents in designated areas.
5. **Maximum number of tents on the property – 20 ~~30~~; ~~10 in front grass along Counts Massie~~; ~~20 around covered awning~~.**
6. Hoses, cords, and/or other apparatus across a pedestrian or vehicular pathway is not permitted.
7. Entertainment during business hours is allowed. No cover charge is permitted.
8. Entertainment to be located under existing awning.
9. Allow a maximum of four food trucks.
10. Food trucks to be located along southern property line.
11. One trash receptacle to be located no more than ten feet away from each food truck.
12. Food trucks not allowed to utilize a drive-thru.
13. Food trucks not allowed to sell alcoholic beverages.
14. Food trucks not allowed to discharge any waste on site.
15. Any structures located on the lot shall meet all applicable Federal, State, County, and City requirements and codes.
16. Business license to be issued after Planning Staff confirmation of requirements.

17. Business license holder understands that failure to comply with the these conditions may result in loss of the Special Use and/or loss of Business License and/or removal of Electric Power Meter

SECTION 3: That the drawings attached hereto as Exhibit A are hereby removed from Ordinance No. 9309.

SECTION 4: That all ordinances or parts of ordinance in conflict herewith are hereby repealed to the extent of the conflict.

SECTION 5: 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 6: It is hereby found and determined that the special use 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:

Steve Baxter
Council Member Steve Baxter

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	10:50	A.M.	_____	P.M.
By	<u>A. Fields</u>			
DATE	<u>5-21-24</u>			
Diane Whitbey, City Clerk and Collector North Little Rock, Arkansas				
RECEIVED BY	<u>S. Ussey</u>			



