

**AN ORDINANCE GRANTING A SPECIAL USE TO ALLOW TWO SEASONAL HIGH TUNNELS IN AN R-3 ZONE ON CERTAIN PROPERTY OFF OF POWERLINE DRIVE IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.**

WHEREAS, application was duly made by Mr. Patrick Cullivan, P. O. Box 94935, North Little Rock, AR 72190, seeking a special use of the herein described land to allow two seasonal high tunnels, 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 April 10, 2018.

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

SECTION 1: That a special use is hereby granted to allow two seasonal high tunnels in an R-3 zone for the subject real property located on landlocked property off of Powerline Drive in the City of North Little Rock, Pulaski County, Arkansas, being more particularly described as:

Lot 10, Spanish Grant Subdivision, City of North Little Rock, Pulaski County, Arkansas. (See maps and photo attached hereto collectively as Exhibit "A".)

SECTION 2: That this special use shall be subject to the conditions listed below:

1. Since the property is landlocked, applicant is to provide proof that he has permission (access agreement) to use the adjacent powerline and utilities easement to access the property.
2. Per the Fire Marshal's requirement, access to the property via the powerline and utilities easement is to include a hard packed access road (gravel, asphalt, concrete or other approved material) from a city street to the lot in question. Per the 2012 Arkansas Fire Code, the road should support 75,000 pounds. This road is to provide access in case of emergency medical runs or other incidents.
3. No selling of goods or produce on-site.
4. Allow a shed to be used as storage.
5. Allow 6' perimeter fence – no barbwire allowed.

6. Any security lighting on site is to be shielded away from adjacent properties.
7. Business license to be issued and power to be turned on at the site after Planning Staff confirmation of requirements.
8. Business license holder understands that failure to comply with these conditions may result in loss of Special Use and/or loss of Business License and/or removal of Electric Power Meter.

SECTION 3: That all ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of the conflict.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 special use for the above-described lands to allow two seasonal high tunnels is a proper use for the property, is compatible with other businesses in the area and is immediately necessary in order to insure the proper and orderly growth of this land and the proper and orderly growth 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 Joe A. Smith

SPONSOR:

ATTEST:



Council Member Linda Robinson *LJR*

\_\_\_\_\_

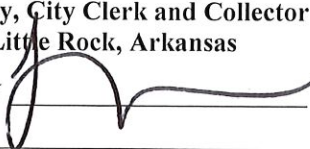
Diane Whitbey, City Clerk

APPROVED AS TO FORM:

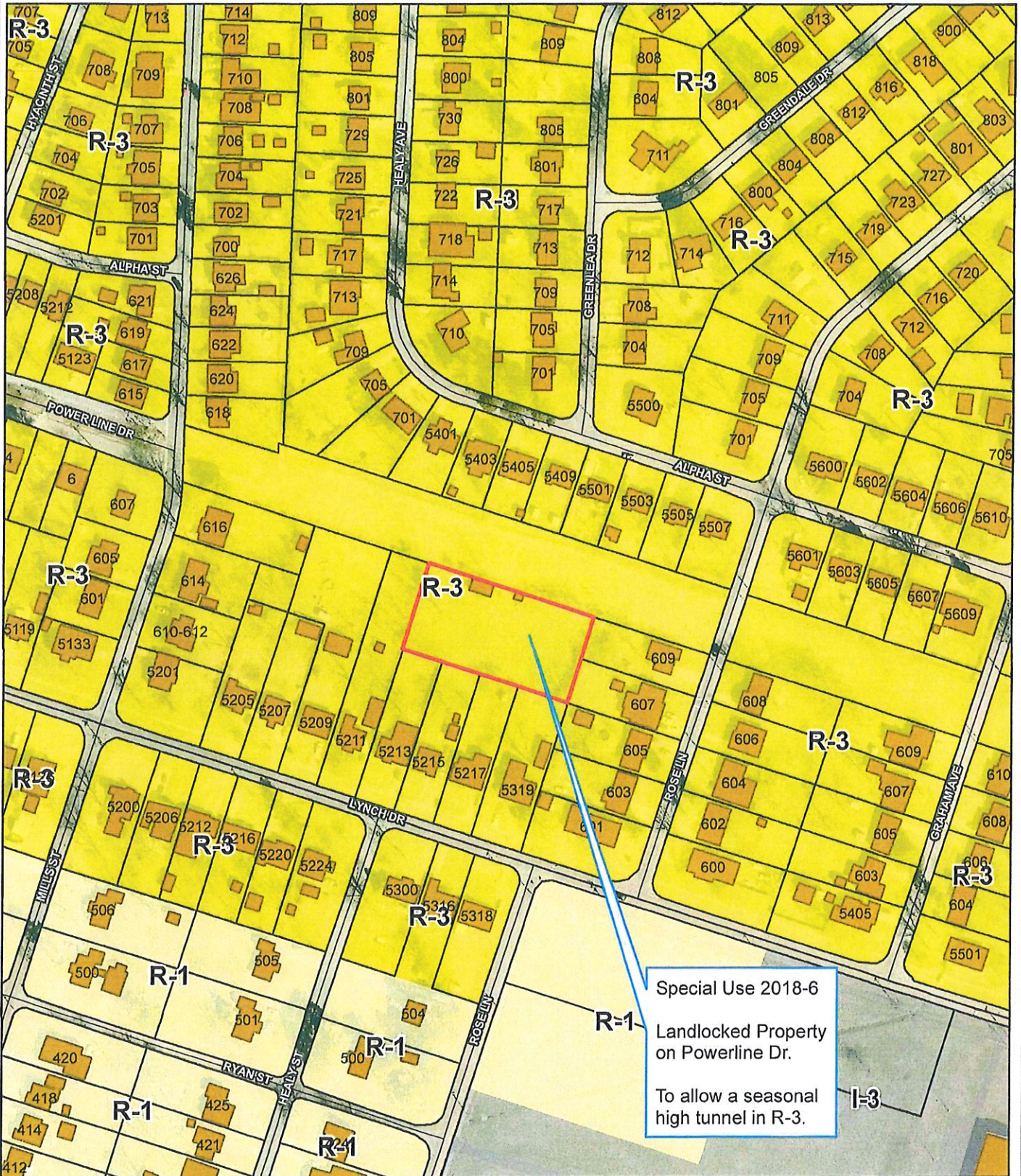


Amy Beckman Fields, City Attorney

PREPARED BY THE OFFICE OF THE CITY ATTORNEY/kh

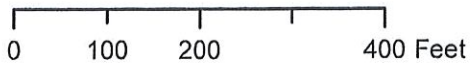
FILED	<u>11:20</u>	A.M.	_____	P.M.
By	<u>Amy Fields City Atty Office</u>			
DATE	<u>4-17-18</u>			
Diane Whitbey, City Clerk and Collector North Little Rock, Arkansas				
RECEIVED BY				

# Special Use #2018-6



Zoning Map

1 inch = 200 feet



Date: 3/12/2018

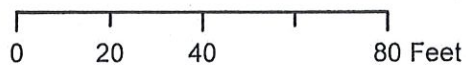
Not an actual survey

# Special Use #2018-6



Ortho Map

1 inch = 40 feet



Date: 3/12/2018

Not an actual survey

