



City of Grand Island

Tuesday, September 24, 2002

Council Session

Item H1

Request to Refer Proposed Amendment to Chapter 36 of the Grand Island City Code Relative to Vehicle Sales and Rental Businesses to Regional Planning Commission

The City has previously considered whether to require certain minimum improvements for all vehicle sales and rental lots and in 1999 required all new lots to have hard surfaced storage and display areas. Since then there have been several car lots started which have been the subject of complaints concerning whether the premises are suited for this type of use based on appearance, lack of space, storage of used tires, batteries, oil, etc. Dealing with complaints about car lots has become a continual, if not continuous, problem for the building department, police department, public works and code compliance office. Currently we are dealing with problems involving four dealerships.

City staff is requesting the Mayor and City Council revisit the issue of requiring minimum improvements for car lots. The first step is to refer the matter to the Regional Planning Commission for a public hearing and recommendation. We are asking that the City Council consider this carefully and refer the matter for future proceedings before the regional planning commission only if there is general support for the proposal from the council as a whole.

Staff Contact: Charlie Cuypers

ORDINANCE NO. ____

An ordinance to amend Chapter 36 of the Grand Island City Code; to amend Section 36-49 pertaining to minimum improvement requirements for vehicle sales and rental businesses; to repeal Section 36-49 as now existing, and any ordinance or parts of ordinances in conflict herewith; and to provide for publication and the effective date of this ordinance.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA:

SECTION 1. The Mayor and City Council do hereby find that the public interest will be served by the following amendments to the Grand Island City Code, that no business existing on the effective date of this ordinance shall have or retain rights of any nature to operate an automotive/truck/recreational vehicle sales and/or rental business based on the prior provisions of the code and that all such businesses within the City of Grand Island and its extra-territorial jurisdiction shall comply with this ordinance by April 1, 2004 or cease operation.

SECTION 2. Section 36-49 of the Grand Island City Code is hereby amended to read as follows:

§36-49. Vehicle Sales and Rental Businesses; Minimum Improvement Requirements

All businesses engaged in automotive/truck/recreational vehicle sales and/or rentals shall have the following minimum improvements and equipment:

(A) All areas on which vehicles are displayed and offered for sale and/or rental shall be provided with a permanent type, dust-free surface such as asphaltic cement concrete, Portland cement concrete, or paving brick.

(B) Any business engaged in vehicles sales and/or rentals shall have a principal building which complies with the Grand Island City Code and all applicable building, electrical, plumbing and fire codes.

(C) Any business engaged in vehicle sales and/or rentals shall have space within the principal building or an accessory building for storage of all vehicle parts, new or used. All such parts must be stored within said space.

(D) All hazardous materials, regulated waste and used vehicle fluids shall be stored and disposed of in accordance with state and federal laws and the rules and regulations of the U.S. Environmental Protection Agency and the Nebraska Department of Environmental Quality. Tank storage of fluids and wastes must be situated within a suitable overflow enclosure.

(E) Any business engaged in vehicle sales and/or rentals shall comply with the Grand Island City Code landscaping and screening regulations and minimum off-street parking and loading space requirements prior to commencing operations.

Approved as to Form ? _____
September 19, 2002 ? City Attorney

ORDINANCE NO. _____ (Cont.)

~~§36-49. Storage and Display Requirements~~

~~_____ All storage and display areas associated with automotive/truck/recreational vehicle sales or rentals shall be hardsurfaced in accordance with the requirements of §36-48.~~

SECTION 3. Section 36-49 as now existing, and any ordinances or parts of ordinances in conflict herewith be, and hereby are, repealed.

SECTION 4. That this ordinance shall be in force and take effect from and after its passage and publication, within fifteen days in one issue of the Grand Island Independent as provided by law.

Enacted: October 8, 2002.

Ken Gnadt, Mayor

Attest:

RaNae Edwards, City Clerk