

ORDINANCE NO. 88-22**AN ORDINANCE AMENDING THE 2019 UNIFIED DEVELOPMENT
ORDINANCE OF THE CITY OF FORT SMITH**

WHEREAS, the Board of Directors passed and approved Ordinance No. 87-19 which adopted the Unified Development Ordinance on October 15, 2019, and,

WHEREAS, it is necessary to amend certain sections of the Unified Development Ordinance to provide clarity and remove conflict with other provisions of the municipal code; and,

WHEREAS, the Planning Commission held a public hearing regarding the amendment and recommended on September 13, 2022, that changes be made; and,

WHEREAS, three (3) copies of October 2022 Amendments to the Unified Development Ordinance have been on file in the Office of the City Clerk of the City of Fort Smith for inspection and review by the public prior to the passage of this Ordinance; and,

WHEREAS, the October 2022 Amendments to the Unified Development Ordinance includes amendments to industrial screening requirements and tattoo and body piercing parlors; and,

NOW, THEREFORE, BE IT ORDAINED AND ENACTED BY THE BOARD OF DIRECTORS OF THE CITY OF FORT SMITH, ARKANSAS THAT:

SECTION 1: The October 2022 Amendments to the Unified Development Ordinance are hereby adopted.

SECTION 2: The codifier shall codify the adopted amendments by amending existing sections and by adding new sections of the UDO.

SECTION 3: It is hereby found and determined that the adoption of the amendments to the Unified Development Ordinance are necessary to alleviate an emergency created by the lack of regulation of uses of property within the City of Fort Smith so that the protection of the health, safety and welfare of the inhabitants of the City requires that the amendments be effective, and the amendments are hereby made effective, as of date of approval of the Ordinance.

PASSED AND APPROVED THIS 4th DAY OF October, 2022.

ATTEST:



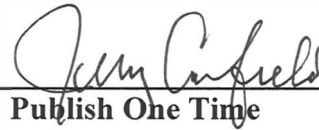
City Clerk

APPROVED:



Mayor

Approved as to form:



Publish One Time

fence.

6. Outdoor lighting shall comply with Section 27-602-5.

7. Outdoor storage. Screening requirements.

a. Industrial-1 (I-1):

1. Areas used for outdoor storage or display shall be maintained so that excessive dust, fumes or odors will not be produced by continued use.

2. Buffering, landscape, and fence screening shall be required when abutting residentially zoned properties. The minimum buffering requirements shall consist of a six-foot high screen fence, landscaping (trees, shrubs, and groundcover,) or a berm. All buffer areas shall be a minimum of ten (10) feet in width. The Planning and Zoning Department shall approve location, size, plant species, and number. The buffering shall be in addition to minimum open space requirements.

3. Auto impoundment or holding yards shall be screened with a minimum six (6) to eight (8) foot opaque fence constructed of wood or masonry

b. Industrial-2 (I-2):

1. Outdoor storage of equipment materials or merchandise not actively offered for sale shall be surrounded by a sight-proof screen which restricts their view from the public.

2. Areas used for outdoor storage or display shall be maintained so that excessive dust, fumes or odors will not be produced by continued use.

3. Buffering, landscape, and fence screening shall be required when abutting residentially zoned properties. The minimum buffering requirements shall consist of a six-foot high screen fence, landscaping (trees, shrubs, and groundcover,) or a berm. All buffer areas shall be a minimum of ten (10) feet in width. The Planning and Zoning Department shall approve location, size, plant species, and number. The buffering shall be in addition to minimum open space requirements.

Fort Smith Use Matrix															J	K	L	M	N	O	RS-5	RSD-2	RSD-3	RSD-4	RM-2	RM-3	RM-4	RMD	RH	T	U	W	X	Y	AB	Z	AC	AD	AE	AF
					Districts	PZD	RE3	RE1	RS-1	RS-2	RS-3	RS-4																												
P = Permitted Use, C = Conditional Use, A = Accessory Use										R-1	R-2	R-3	R-4	R-6	DP-2	DP-3	DP-4	MF-2	MF-3	MF-4	R-5	H	T1,2,3	C-1	C-2	C-3	C-4	C-5	C-6	I-1,2	I-3	I-4								
<i>Size or density restrictions for any use may be noted in the district</i>																																								
					Tattoo/body piercing parlor																				P	P	P	P	P											
					Weight loss centers																			P	P	P	P	P												
					Pet and animal services																																			
					Animal and pet services (indoor)																			P	P	P	P	P	P	P	P	P								
					Animal and pet services (outdoor)																			P	P	P	P	P	P	P	P	P								
					Animal shelter																					P	P	P	P	P	P	P								
					Equestrian facilities																						P	P	P	P	P	P								
					Kennels																						P	P	P	P	P	P								
					Pet cemetery																						P	P	P	P	P	P								
					Pet shop																						P	P	P	P	P	P								
					Pet supply store																					P	P	P	P	P	P	P								
					Veterinary clinic (no outdoor kennels)																					P	P	P	P	P	P	P								
					Veterinary clinic (with outdoor kennels)																					P	P	P	P	P	P	P								
					Automobile Parking Facilities																																			
					Parking garage																						C	C	P	P	P	P								
					Parking lot (commercial)																					P	P	P	P	P	P	P								
					Parking lot (off site) (See Section 27-601-11)																			C	C	P	P	P	P	P	P	P								
					Manufacturing and Wholesale Trade																																			
					Food, Textiles and Related Products																																			
					Animal food processing																									C	C	P								
					Clothing manufacturing																								P	P	P	P								
					Food and beverage processing																								P	P	P	P								
					Leather and allied products																											P								
					Textiles																									P	P	P								
					Tobacco manufacturing																									P	P	P								
					Wood, Paper and Printing Products																																			
					Cabinet and woodwork shop																							P	P	P	P	P								
					Furniture or home furnishings																											P								
					Manufacturing, boxes/containers/corrugated																							P	P	P	P	P								
					Manufacturing, packaging material																							P	P	P	P	P								
					Paper and printing materials																							P	P	P	P	P								
					Wood products manufacturing plant																							P	P	P	P	P								
					Chemicals, Metals, Machinery, and Electronics Mfg.																																			
					Acid manufacturing																											P								
					Asphalt or concrete batching plant (permanent)																										P	P								
					Chemicals, plastics and rubber industry																									C	P	P								
					Electrical equipment, appliance and components mfg.																							P	P	P	P	P								