

**ORDINANCE NO. 101-23**

**AN ORDINANCE AMENDING THE 2019 UNIFIED DEVELOPMENT  
ORDINANCE OF THE CITY OF FORT SMITH**

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**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 November 14, 2023, that changes be made; and,

**WHEREAS**, three (3) copies of November 2023 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 November 2023 Amendments to the Unified Development Ordinance include amendments to substandard lots,

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

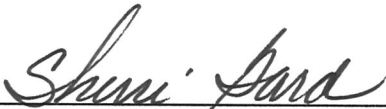
**SECTION 1:** The November 2023 Amendments to the Unified Development Ordinance are hereby adopted.

**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 19<sup>th</sup> DAY OF December, 2023.

**ATTEST:**



City Clerk

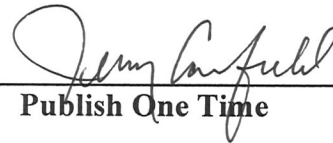
**APPROVED:**



VICE Mayor

JARAM RECO

**Approved as to form:**



Publish One Time

NOVEMBER 2023 AMENDMENTS TO  
THE UNIFIED DEVELOPMENT  
ORDINANCES

Neighborhood Compatible	7,000 sf	50 feet	20 feet	60%	25	10	10	10		35 feet
Commercial Light	7,000 sf	50 feet	20 feet	60%	25	10	10	10		35 feet
Com. Moderate	12,000 sf	75 feet	n/a	60%	25	20	15	20	SF-30	35 feet
Com. Regional	40,000 sf	150 feet	n/a	80%	25	20	20	20	SF-100	45 feet
Com. Heavy	14,000 sf	100 feet	n/a	75%	25	20	15	20	SF-30	45 feet
Com. Downtown	Determined based on development plan approval									
Com. Mixed Use	Determined based on development plan approval									
<b>INDUSTRIAL DISTRICTS</b>										
Ind. Light	20,000 sf	100 feet	n/a	75%	25	10	15	10	SF-100	45 feet
Ind. Moderate	20,000 sf	100 feet	n/a	60%	50	25	50	20	SF-100	45 feet
Ind. Heavy	20,000 sf	100 feet	n/a	60%	100	50	100	20	non Ind.- 100	45 feet

Some building heights may be adjusted on setback, see districts

Building separation shall be determined by current City building and fire codes.

## B. Lot Area

1. **Measurement.** Lot area is measured as the amount of net land area contained within the property lines of a lot or parcel, not including right-of-way for streets.
2. **Lots With Less Than Minimum Width.**
  - a. A single- or two-family house may be built on a lot that is smaller than required by the zoning district in which the lot is located, provided that the lot:
    1. Is located in a residential zone that permits the intended use;
    2. Is at least ~~50~~ **35** feet wide and ~~5000~~ **3500** square feet in area; and
    3. The boundaries and dimensions were established by record on the effective date of the Unified Development Ordinance by a recorded plat of a subdivision.
    4. Shall comply with the residential parking regulations in Section 14-52 of the Fort Smith Municipal Code.
  - b. On any non-conforming lot that is less than 60 feet wide at the building line or 6,500 square feet in area, new structures must conform to the bulk and area requirements of the residential zone which most nearly corresponds to the minimum lot dimensions of the substandard lot.