

**ORDINANCE NO. 4-24**

**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 December 12, 2023, that changes be made; and,

**WHEREAS**, three (3) copies of January 2024 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 January 2024 Amendments to the Unified Development Ordinance includes amendments to subdivision landscaping,

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

**SECTION 1:** The January 2024 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 2<sup>nd</sup> DAY OF January, 2024.

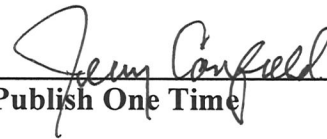
**ATTEST:**

  
\_\_\_\_\_  
City Clerk

**APPROVED:**

  
\_\_\_\_\_  
Mayor

**Approved as to form:**

  
\_\_\_\_\_  
Publish One Time

JANUARY 2024 AMENDMENTS  
TO THE UNIFIED DEVELOPMENT  
ORDINANCES

## 27-503-11 Landscaping

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### A. Applicability

Residential subdivisions shall include landscaping on the perimeter streets and subdivision entry landscaping as provided below. Replats of existing residential lots and residential subdivisions with no more than five (5) lots are exempt from perimeter frontage landscaping and subdivision entry landscaping. This requirement does not include residential for multifamily development. Lots platted with frontage only on the perimeter street are exempt from the perimeter landscaping requirement. Landscaping for multifamily developments must comply with the requirements of Section 27-602-3 and can be deferred until the building permit is issued for the multifamily development.

### B. Perimeter Frontage Landscaping

Perimeter frontage landscaping shall comply with the following:

1. Perimeter landscaping shall be located along the entire perimeter of the subdivision that fronts the right-of-way of a public street. The perimeter landscaping shall be located on the subdivision property. The landscaping shall be parallel and adjacent to the public right-of-way line. Provided public utilities are immediately adjacent to the right-of-way line, the ten-foot landscape buffer may commence adjacent to the utility easement.
2. The perimeter landscaping area shall have a minimum width of ten (10) feet.
3. At a minimum, the perimeter landscaping planting strip shall be planted with one (1) tree and ten (10) shrubs for every fifty (50) linear feet of right-of-way frontage.