

ORDINANCE NO. 9-16

**AN ORDINANCE AMENDING THE 2009 UNIFIED DEVELOPMENT
ORDINANCE OF THE CITY OF FORT SMITH**

WHEREAS, the Board of Directors passed and approved Ordinance No. 36-09 which adopted the Unified Development Ordinance on May 19, 2009; and,

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

WHEREAS, the Planning Commission held a public hearing regarding these amendments and recommended on January 12, 2016, that said changes be made; and,

WHEREAS, three (3) copies of February 2016 Amendments to the Unified Development Ordinance (microbreweries in commercial zoning districts) 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,

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

SECTION 1: The February 2016 Amendments to the Unified Development Ordinance (microbreweries in commercial zoning districts) is hereby adopted.

SECTION 2: The codifier shall amend the existing sections of the Unified Development Ordinance.

SECTION 3: It is hereby found and determined that the adoption of these amendments to the Unified Development Ordinance is 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 amendment is hereby made effective, as of the date of approval of this Ordinance.

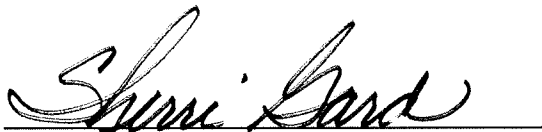
PASSED AND APPROVED THIS 2nd DAY OF February, 2016.

APPROVED:



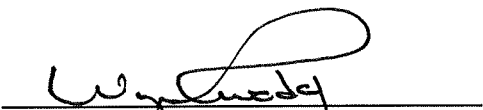
Mayor

ATTEST:



City Clerk

Approved as to form:



Publish One Time

FEBRUARY 2016

**AMENDMENTS TO THE UNIFIED DEVELOPMENT
ORDINANCE (MICROBREWERIES IN COMMERCIAL
ZONING DISTRICTS)**

Appendix A

Districts	RE3	RE1	RS-1	RS-2	RS-3	RS-4	RS-5	RSD-2	RSD-3	RSD-4	RM-2	RM-3	RM-4	RMD	RH	T	C-1	C-2	C-3	C-4	C-5	C-6	I-1	I-2	I-3
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	T	C-1	C-2	C-3	C-4	C-5	C-6	I-1	I-2	I-3
Business, Professional, Scientific, and Technical Services																									
Professional Services																									
Abstract services															P	P	P	P	P	P	P	P	P	P	P
Accounting, tax, bookkeeping, payroll															P	P	P	P	P	P	P	P	P	P	P
Advertising and media services															P	P	P	P	P	P	P	P	P	P	P
Architectural, engineering															P	P	P	P	P	P	P	P	P	P	P
Carpet and upholstery cleaning															P	P	P	P	P	P	P	P	P	P	P
Consulting services															P	P	P	P	P	P	P	P	P	P	P
Extermination and pest control															P	P	P	P	P	P	P	P	P	P	P
Graphic, industrial, interior design															P	P	C	P	P	P	P	P	P	P	P
Investigation and security services															P	P	C	P	P	P	P	P	P	P	P
Janitorial services															P	P	P	P	P	P	P	P	P	P	P
Legal services															P	P	P	P	P	P	P	P	P	P	P
Medical laboratory															P	P	P	P	P	P	P	P	P	P	P
Medical laboratory (no animal research/testing)															P	P	P	P	C	C	C	C	C	C	C
Offices, corporate															P	P	P	P	P	P	P	P	P	P	P
Offices, general															P	P	P	P	P	P	P	P	P	P	P
Property management services (office only)															P	P	P	P	P	P	P	P	P	P	P
Real estate agency															P	P	P	P	P	P	P	P	P	P	P
Travel arrangement and reservation services															P	P	P	P	P	P	P	P	P	P	P
Administrative Services															P	P	P	P	P	P	P	P	P	P	P
Business support services															P	P	P	P	P	P	P	P	P	P	P
Collection agency															P	P	P	P	P	P	P	P	P	P	P
Employment agency															P	P	P	P	P	P	P	P	P	P	P
Employment agency (day labor)															P	P	P	P	P	P	P	P	P	P	P
Facilities support services															P	P	P	P	P	P	P	P	P	P	P
Office and administrative services															P	P	P	P	P	P	P	P	P	P	P
Telemarketer/call center															P	P	P	P	P	P	P	P	P	P	P
Food Services															P	P	P	P	P	P	P	P	P	P	P
Bar or tavern															P	P	C	C	C	C	C	C	C	C	C
Beer garden															P	P	C	C	C	C	C	C	C	C	C
Catering service															P	P	C	C	C	C	C	C	C	C	C
Food distribution center															P	P	C	C	C	C	C	C	C	C	C
Microbrewery/microwinery/microdistillery															P	P	C	C	C	C	C	C	C	C	C
Mobile food services															P	P	C	C	C	C	C	C	C	C	C
Restaurant															P	P	C	C	C	C	C	C	C	C	C
Restaurant (with drive-in services)															P	P	C	C	C	C	C	C	C	C	C
Restaurant (with drive-through services)															P	P	C	C	C	C	C	C	C	C	C
Restaurant (with outdoor dining)															P	P	C	C	C	C	C	C	C	C	C
Specialty Manufacturing															P	P	C	C	C	C	C	C	C	C	C
Vending															P	P	C	C	C	C	C	C	C	C	C
Personal Services															P	P	C	C	C	C	C	C	C	C	C
Bail bonds office															P	P	C	C	C	C	C	C	C	C	C