

ORDINANCE NO. 10-16

**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 (specialty manufacturing) 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 (specialty manufacturing) is hereby adopted.

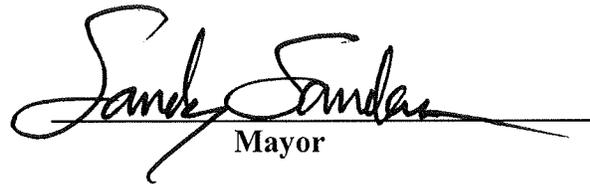
SECTION 2: The codifier shall amend the existing sections of the Unified Development Ordinance.

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

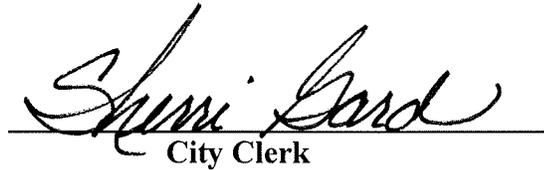
of regulation of uses of property within the City of Fort Smith so that the protection of the health, safety and welfare of the inhabitants of the City requires that the amendments be effective, and the amendment is hereby made effective, as of the date of approval of this Ordinance.

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

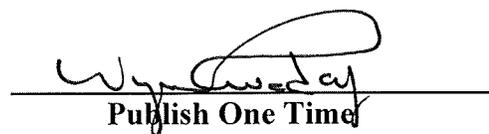
APPROVED:


Mayor

ATTEST:


City Clerk

Approved as to form:


Publish One Time

FEBRUARY 2016

**AMENDMENTS TO THE UNIFIED DEVELOPMENT
ORDINANCE (SPECIALTY MANUFACTURING)**

Specialty Manufacturing

shall mean specially manufacturers with or without a retail front or other special manufacturers with minimal impacts to adjoining properties, including noise, traffic, lighting, odors, and hours of operation. Products are primarily assembled by hand. The uses are limited by size to a maximum of 4,000 s.f. of gross floor area and shall be operated only within a fully enclosed structure.

Sports complex or athletic field

shall mean a large open or enclosed space used for games or major events which may be surrounded by tiers of seats for spectators.

Sporting goods stores

shall mean establishments primarily engaged in the retailing of new sporting goods, including bicycles and bicycle parts, camping equipment, fishing and hunting equipment, exercise and fitness equipment, athletic uniforms, athletic apparel for men, women and children, specialty sports footwear and other sporting goods, equipment and accessories.

Stable, private,

shall mean a private accessory building for quartering horses.

Stockyard

shall mean services involving the temporary keeping of livestock for slaughter, market, or shipping.

Stormwater retention basin or pumping station

shall mean a reservoir, lake, pond or area designated for temporary storage of surface water during periods of heavy run-off together with any pumping facilities, tanks, gates or similar structures related to drainage operations.

Story

shall mean that portion of a building included between the upper surface of a floor and the upper surface of the floor or roof next above.

Street

shall mean a public maintained right-of-way, other than an alley, which affords a primary means of access to property.

Street frontage

shall mean the distance along a property line that is also the right-of-way line of a public street. It is measured between side lot lines along the front lot line.

Street, limited access

a street which allows only indirect access to abutting properties primarily by distributing traffic to intersecting lesser volume streets or some other means as needed to allow for efficient local circulation.

Street, standard

shall mean any existing street whose right-of-way meets the design requirements of the Master Street Plan or the minimum street standards, whichever is greater.

Structural alterations

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	H 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																										
Business, Professional, Scientific, and Technical Services																										
Professional Services																										
Abstract services															P	P	P	P	P	P	P	P	P			
Accounting, tax, bookkeeping, payroll															P	P	P	P	P	P	P	P	P			
Advertising and media services															P	P	P	P	P	P	P	P	P			
Architectural, engineering															P	P	P	P	P	P	P	P	P			
Carpet and upholstery cleaning																										
Consulting services															P	P	P	P	P	P	P	P	P	P	P	P
Extermination and pest control																										
Graphic, industrial, interior design															P	P	C	P	P	P	P	P	P	P	P	P
Investigation and security services																										
Janitorial services																										
Legal services															P	P	P	P	P	P	P	P	P	P	P	P
Medical laboratory																										
Medical laboratory (no animal research/testing)																										
Offices, corporate															P	P	P	P	P	P	P	P	P	P	P	P
Offices, general															P	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	P
Real estate agency															P	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																										
Business support services															P	P	P	P	P	P	P	P	P	P	P	P
Collection agency															P	P	P	P	P	P	P	P	P	P	P	P
Employment agency																										
Employment agency (day labor)																										
Facilities support services															P	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	P
Telemarketer/call center															P	P	P	P	P	P	P	P	P	P	P	P
Food Services																										
Bar or tavern																										
Beer garden																		C	C	C	P	P	P	P	P	P
Catering service																		P	P	P	P	P	P	P	P	P
Food distribution center																										
Microbrewery/microwinery/microdistillery																						C	P	P	P	P
Mobile food services																										
Restaurant															P											
Restaurant (with drive-in services)																	C	P	P	P	P	P	P	P	P	P
Restaurant (with drive-through services)																										
Restaurant (with outdoor dining)																	C	C	C	C	C	C	C	C	C	C
Specialty Manufacturing																	C	C	P	P	C					
Vending																						P		P	P	P
Personal Services																										
Bail bonds office																										