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ORDINANCE NO. 46-19

**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 the 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 proposed amendment and recommended on June 11, 2019, that changes be made; and,

WHEREAS, three (3) copies of July 2019 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 July 2019 Amendments to the Unified Development Ordinance includes an amendment to Appendix A, which will allow *Parking Lot (off site)* as a conditional use in the Residential Historic (RH) zoning district; and,

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

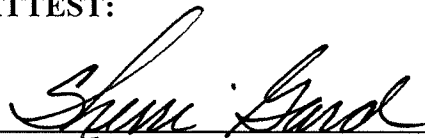
SECTION 1: Appendix A (Land Use Matrix) of the Unified Development Ordinance is amended to allow *Parking Lot (off site)* as a conditional use in the Residential Historic (RH) zoning district is hereby adopted.

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

SECTION 3: It is hereby found and determined that the adoption of the amendment 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 amendment be effective, and the amendment is hereby made effective, as of date of approval of the Ordinance.

PASSED AND APPROVED THIS 2nd DAY OF July, 2019.

ATTEST:



City Clerk

APPROVED:



Mayor

Approved as to form:



Publish One Time

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	I	RH	T	T1,2,3	C-C-1	C-C-2	C-C-3	C-C-4	C-C-5	C-C-6	I-1,2	I-3	I-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	I	RH	T	T1,2,3	C-C-1	C-C-2	C-C-3	C-C-4	C-C-5	C-C-6	I-1,2	I-3	I-4	
	Bail bonds office																			C	P	P	P	P	P				
	Barber shop/salon/spa/massage services																												
	Laundry (commercial/industrial)																			C	P	P	P	P	P				
	Laundry and cleaning facilities (self-service)																												
	Laundry, cleaner																												
	Laundry, cleaner (drop-off station)																												
	Photocopy shop																			P	P	P	P	P	P				
	Photography studio																			P	P	P	P	P	P				
	Print shop																			P	P	P	P	P	P				
	Shoe repair shop																			P	P	P	P	P	P				
	Tailor shop																			P	P	P	P	P	P				
	Tanning salons																			P	P	P	P	P	P				
	Tattoo/body piercing parlor																			C	P	P	P	P	P				
	Weight loss centers																												
	Pet and animal services																												
	Animal and pet services (indoor)																				P	P	P	P	P				
	Animal and pet services (outdoor)																				P	P	P	P	P				
	Animal shelter																												
	Equestrian facilities																					P	P	P	P				
	Kennels																												
	Pet cemetery																												
	Pet shop																				C	C	C	C	C				
	Pet supply store																				C	C	C	C	C				
	Veterinary clinic (no outdoor kennels)																				C	C	C	C	C				
	Veterinary clinic (with outdoor kennels)																				P	P	P	P	P				
	Automobile Parking Facilities																												
	Parking garage																												
	Parking lot (commercial)																												
	Parking lot (off site) (See Section 27-601-11)																												
	Manufacturing and Wholesale Trade																			C	C	P	P	P	C				
	Food, Textiles and Related Products																												
	Animal food processing																												
	Clothing manufacturing																												
	Food and beverage processing																												
	Leather and allied products																												
	Textiles																												
	Tobacco manufacturing																												
	Wood, Paper and Printing Products																												
	Cabinet and woodwork shop																												
	Furniture or home furnishings																												
	Manufacturing, boxes/containers/corrugated																												
	Manufacturing, packaging material																												
	Paper and printing materials																												