

ORDINANCE NO. 18-21**AN ORDINANCE AMENDING THE 2019 UNIFIED DEVELOPMENT
ORDINANCE OF THE CITY OF FORT SMITH**

WHEREAS, the Board of Directors passed and approved Ordinance No. 87-19 which adopted the Unified Development Ordinance on October 15, 2019, and,

WHEREAS, is it 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 amendment and recommended on January 12, 2021, that changes be made; and,

WHEREAS, three (3) copies of February 2021 Amendment 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 February 2021 Amendment to the Unified Development Ordinance proposes to amend the required minimum off-street parking regulations by adding Neighborhood Store to the retail trade description category and requiring a minimum of 1 space per 250 square feet of customer service area; and,

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

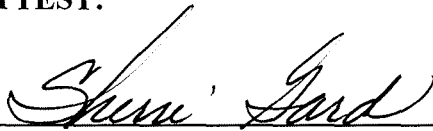
SECTION 1: The February 2021 Amendment to the Unified Development is hereby adopted.

SECTION 2: The codifier shall codify the adopted amendment by amending existing sections of the UDO at the discretion of the codifier.

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.

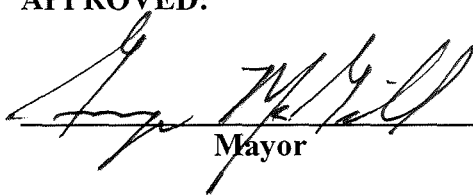
PASSED AND APPROVED THIS 2nd DAY OF February, 2021.

ATTEST:



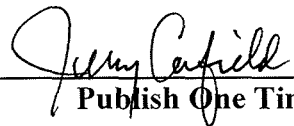
City Clerk

APPROVED:



Mayor

Approved as to form:



Publish One Time

Services	Off Street Parking	Off Street Loading (27-601-4)
Casino gaming business	One space per 4 patrons based on the occupancy load as established by local, county and state fire, building or health codes, plus one space per employee on the largest working shift.	
Warehousing	1 space per 1,000 square feet plus 1 space per 300 sq. ft. for auxiliary office use.	C

Retail Trade	Off Street Parking	Off Street Loading (27-601-4)
Department and variety stores	1 space per 200 square feet of C.S.A.	
Grocery stores and market	6 spaces plus 1 space per 200 square feet C.S.A. over 1,000 square feet	A
Furniture store, automobile sales	1 space per 500 square feet C.S.A. plus 1 space per employee	
Liquor store	3 spaces plus 1 space per 300 square feet G.F.A. over 500 square feet plus 1 queuing space per drive-through window	A
<u>Neighborhood Store</u>	<u>1 space per 250 square feet of C.S.A.</u>	
Night club or tavern	4 plus 1 per 50 square feet C.S.A.	
Nursery	1 space per 1,000 square feet of lot area for the first 10,000 sq. ft., then 1 per 5,000 sq. ft. plus 1 per 250 sq. ft. sales floor area	
Radio and T.V. sales and/or repair	1 per 200 square feet C.S.A.	
Restaurants (drive-in and drive-up fast food)	1 per 100 square feet C.S.A. plus 1 per 3 employees plus 5 queuing space per drive-up window	A
Restaurants (not drive-in or drive-up)	1 per 3 seats at M.S.C. plus 1 per employee	A
Retail sales not otherwise listed	1 space per 300 square feet GFA	A
Secondhand store	1 space per 500 square feet GFA	