

ORDINANCE NO. 72-15

**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 October 13, 2015, that said changes not be made; and,

WHEREAS, an appeal has been filed requesting the Board of Directors approve the amendment; and,

WHEREAS, three (3) copies of the November 2015 Amendments to the Unified Development Ordinance allowing motorcycle or ATV sales and service in a Commercial-6 zone 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:

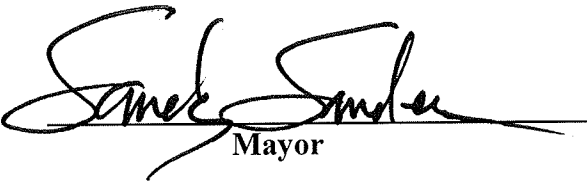
SECTION 1: The November 2015 Amendments to the Unified Development Ordinance allowing motorcycle or ATV sales and service in a Commercial-6 zone are hereby adopted.

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

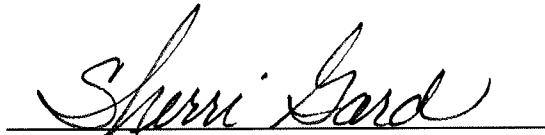
SECTION 3: It is hereby found and determined that the adoption of these amendments to the Unified Development Ordinance is necessary to alleviate an emergency created by the lack of regulation of uses of property within the City of Fort Smith so that the protection of the health, safety and welfare of 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 3rd DAY OF November, 2015.

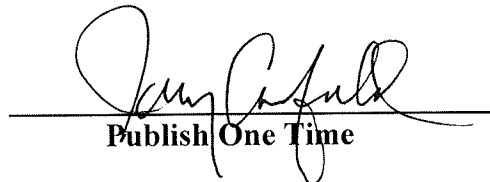
APPROVED:


Mayor

ATTEST:


City Clerk

Approved as to form:


Publish One Time

NOVEMBER 2015 – MOTORCYCLE OR ATV SALES & SERVICE IN C-6 ZONES
AMENDMENTS TO THE UNIFIED DEVELOPMENT ORDINANCE

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
	Car wash - full service																					P		P		P
	Car wash self-service																		C		P	P	C	P	P	P
	Gasoline service station																				P	P		P	P	P
	Motorcycle or ATV sales & service																					P		P	P	P
	Motorcycle or ATV sales & service (no outdoor storage)																						C	P	P	P
	Tire sales																					P		P	P	P
	Truck stop/travel plaza																					C		C	C	P
	Heavy Consumer Goods Sales or Service																									
	Agricultural equipment and supplies (sales & service)																					P	P	P	P	P
	Appliance repair - (Large)																					P	P	P	P	P
	Appliance repair (Small)																				P	P	P	P	P	P
	Bus, truck sales and service																					P	P	P	P	P
	Clothing and personal items (repair)																		P		P	P	P	P	P	P
	Commercial, industrial machinery & equipment (sales & service)																					P		P		P
	Department store, warehouse club or superstore																					P		P		P
	Computer and software shop																	P				P	P	P		
	Electronics and appliances (new)																		P		P	P	P	P	P	
	Electronics and appliances (used)																					P	P	P	P	
	Floor, paint, wall coverings, window treatments																					P	P	P	P	
	Furniture or home furnishings (new)																					P	P	P	P	
	Furniture or home furnishings (used)																					P	P	P	P	
	Furniture repair and upholstery shop																					P		P		P
	Greenhouse (sales)																					P	P	P		P
	Hardware store																					P	P	P		
	Hardware store (neighborhood)																					P	P	P		
	Home improvement center																					P	P	P		
	Lawn and garden supplies																					P	P	P		
	Locksmith																					P	P	P		
	Lumber yard and building materials																					P		P		P
	Mall or shopping center																									
	Manufactured home and mobile home sales and service																					P		P	P	P
	Oil and gas equipment (sales and service)																					P		P	P	P
	Sand, gravel, stone, or earth sales and storage																					C		P	P	P
	Swimming pool sales and supply store (w/o storage yard)																					P		P		P
	Truck or tractor sales and service facility																					P		P		P
	Durable Consumer Goods Sales or Service																									
	Bait and tackle shop																					P		P		
	Bicycle sales and service																					P		P		
	Bicycle sales and service (no outside storage)																					P		P		
	Bookstore																					P		P		
	Bridal shop																					P		P		
	Cameras, photographic supplies and services																					P		P		
	Clothing, jewelry, luggage, shoes, accessories																					P		P		