MAYOR
George B McGill

CITY ADMINISTRATOR
Jeff Dingman

CITY CLERK
Sherri Gard

BOARD OF DIRECTORS
Ward 1 - Jarred Rego
Ward 2 - Andre' Good
Ward 3 - Lee Kemp
Ward 4 - George Catsavis
At-Large Position 5 - Christina Catsavis
At-Large Position 6 - Kevin Settle
At-Large Position 7 - Neal Martin

AGENDA ~ Summary

Fort Smith Board of Directors
REGULAR MEETING
October 5, 2026 ~ 6:00 p.m.
Blue Lion
101 North 2nd Street
Fort Smith, Arkansas

THIS MEETING IS BEING TELECAST LIVE ON
THE CITY OF FORT SMITH GOVERNMENT ACCESS CHANNEL (COX CHANNEL 214)
AND ONLINE AT THE FOLLOWING LINK:
http://www.fortsmithar.gov/watch

INVOCATION & PLEDGE OF ALLEGIANCE
Director Neal Martin
Director Kevin Settle

ROLL CALL
- All present except Director Jarred Rego, who was absent
- Mayor George McGill presiding

PRESENTATION BY MEMBERS OF THE BOARD OF DIRECTORS OF ANY ITEMS OF BUSINESS NOT ALREADY ON THE AGENDA FOR THIS MEETING
Information available by viewing rebroadcast of the meeting on the City Access Channel (Cox Channel 214) or the City's website at www.fortsmithar.gov/watch

APPROVE MINUTES OF THE SEPTEMBER 15, 2026 REGULAR MEETING
APPROVED as written

ITEMS OF BUSINESS

1. Ordinance amending the 2019 Unified Development Ordinance of the City of Fort Smith *(Data Centers) (Planning & Zoning)*
   APPROVED 6 in favor, 0 opposed / Ordinance No. 49-26
   The Board also requested the matter again be presented to the Planning Commission to consider additional options to greater strengthen the subject ordinance.

ORDINANCE NO. 49-26

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, it is necessary to amend 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 September 8, 2026, that changes be made; and,

WHEREAS, three (3) copies of the October 2026 Amendments (Data Centers) 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 October 2026 Amendments to the Unified Development Ordinance includes amendments for data center developments and land use.

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

SECTION 1: The October 2026 Amendments (Data Centers) to the Unified Development Ordinance are hereby adopted subject to the following:

- All project booklet land use charts for previously approved Planned Zoning Districts permitted by right or by conditional use approval for the data center land use are amended to indicate a Development Plan (DP) designation for the data center land use.

27-709 Data Center

27-709-1 Purpose

The purpose of these regulations is described as follows:

A. Protect and enhance the City of Fort Smith.

B. Provide good civic design and arrangement.

C. Preserve natural resources and property values of surrounding property.

27-709-2 Data Center Locations

Data Centers will require development plan (DP) approval in the I-1, I-2 and I-3 zoning districts.

27-709-3 Data Center Standards

In addition to 27-602-4(E) Industrial Building Standards, data centers shall comply with the following:

A. A setback of 500 feet shall be required from all property lines.
B. Submittal shall include letters from applicable public utilities informing whether there is available capacity to serve the proposed load and whether any required transmission, generation, or substation upgrades have been identified before the Arkansas Public Service Commission.
C. All data centers shall be screened from street rights of way and adjoining properties with a wall not less than eight (8) feet in height. The wall shall be:
    (1) A decorative, opaque wall constructed of stone, brick, tinted/textured concrete masonry units, exterior insulated finished systems (EFIS), or other materials as approved. Main entry gates may utilize non-opaque materials such as wrought iron, steel tubing or similar materials.
    (2) The wall shall be integrated with the overall architectural design of the development.
    (3) Wood privacy and vinyl covered chain-link fences are prohibited. Razor wire and barbed wire shall only be permitted when not visible from a street right of way and adjacent property.

27-709-4 Application Requirements

A. Submittal of a Development Plan Application as defined in Section 27-331 is required for all data center developments allowed in the zoning districts described in 27-709-2.
B. All data center developments shall require review by the Planning Commission and approval of the Board of Directors prior to the issuance of a building permit.