

City of Fayetteville Staff Review Form

2022-0432

Legistar File ID

6/7/2022

City Council Meeting Date - Agenda Item Only
N/A for Non-Agenda Item

Jonathan Curth

5/20/2022

DEVELOPMENT REVIEW (630)

Submitted By

Submitted Date

Division / Department

Action Recommendation:

ANX-2022-0001: Annexation (SOUTHEAST OF N. HUGHMOUNT RD./CULLERS, 243): Submitted by WINDELL CULLERS for property located SOUTHEAST OF N. HUGHMOUNT RD. and NORTHWEST OF WARD 4. The property is in the FAYETTEVILLE PLANNING AREA and contains approximately 41.53 acres. The request is to annex the property into the City Limits of Fayetteville.

Budget Impact:

Account Number		Fund	
Project Number		Project Title	
Budgeted Item?	No	Current Budget	\$ -
		Funds Obligated	\$ -
		Current Balance	\$ -
Does item have a cost?	No	Item Cost	\$ -
Budget Adjustment Attached?	No	Budget Adjustment	\$ -
		Remaining Budget	\$ -

V20210527

Purchase Order Number: _____

Previous Ordinance or Resolution # _____

Change Order Number: _____

Approval Date: _____

Original Contract Number: _____

Comments:



MEETING OF JUNE 7, 2022

TO: Mayor; Fayetteville City Council

THRU: Susan Norton, Chief of Staff
Jonathan Curth, Development Services Director
Jessie Masters, Development Review Manager

FROM: Gretchen Harrison, Planner

DATE: May 20, 2022

SUBJECT: **ANX-2022-0001: Annexation (SOUTHEAST OF N. HUGHMOUNT RD./CULLERS, 243):** Submitted by WINDELL CULLERS for property located SOUTHEAST OF N. HUGHMOUNT RD. and NORTHWEST OF WARD 4. The property is in the FAYETTEVILLE PLANNING AREA and contains approximately 41.53 acres. The request is to annex the property into the City Limits of Fayetteville.

RECOMMENDATION:

City Planning staff and the Planning Commission recommend approval of a request to annex the subject property as described and shown in the attached Exhibits 'A' and 'B'.

BACKGROUND:

The subject property is northwest of Fayetteville approximately half a mile north of the intersection of W. Mount Comfort Road and N. Hughmount Road. The overall property includes five parcels totaling 41.53 acres. Three of the parcels are large lots that are currently developed with single-family dwellings and accessory agricultural structures. The remaining two lots are smaller parcels which are currently undeveloped. The site is relatively flat, sloping gradually downward towards Clabber Creek riparian corridor to the south.

Request: The request is to annex the subject property into the City of Fayetteville. The applicant has stated that the annexation would be for the benefit of themselves and three other property owners. No future development or rezoning is proposed with this request.

Public Comment: Staff has received no public comment regarding this request.

Land Use Plan Analysis: City Plan 2040's Future Land Use Map designates the property within the proposed annexation as Residential Neighborhood Area. Residential Neighborhood Areas are primarily residential in nature and support a wide variety of housing types of appropriate scale and context: single-family, duplexes, rowhouses, multifamily and accessory dwelling units. Residential Neighborhood encourages highly connected, compact blocks with gridded street patterns and reduced building setbacks. It also encourages traditional neighborhood development that incorporates low-intensity non-residential uses intended to serve the surrounding neighborhoods, such as retail and offices, on corners and along connecting corridors. This

designation recognizes existing conventional subdivision developments which may have large blocks with conventional setbacks and development patterns that respond to features of the natural environment. Building setbacks may vary depending on the context of the existing neighborhood.

In addition to the Future Land Use Plan, City Plan 2040 sets forth several guiding policies to consider an annexation proposal, which are attached in full to staff's report. These include the potential impacts on Fayetteville's boundaries, services, infrastructure, intergovernmental relations, property administration, and existing environmentally sensitive areas. If the land is annexed into the City's limits, city ordinances such as tree preservation, streamside protection, and zoning enforcement would apply.

The proposed annexation reduces a peninsula in the City's boundary as the subject property is bordered by the city limits of Fayetteville on three sides. Immediately to the west is the Hughmount Village subdivision which was annexed in 2020. To the east is the Lierly Lane subdivision which was annexed in 2006, and the Clabber Creek subdivision which was annexed in 1998. Aiden's Place subdivision is currently under construction to the south. While there are a few adjacent parcels southeast of Hughmount Road that were not included with this annexation request, the proposed area to be annexed would further establish Hughmount Road as a logical boundary, consistent with previously annexed properties to the east and west. The requested annexation would not create an island in the City's boundary.

Fire protection is currently provided to the site by the Wheeler Fire Department. Although not the primary responder, fire protection is also provided by the City under its automatic response agreements with outlying areas. The overall property currently has access to City water and portions have access to sanitary sewer, but sanitary sewer extensions and upgrades would be required to serve the entire property. While there are sanitary sewer mains adjacent to the subject property, connections are not currently permitted without City Council approval since the property is in Washington County. Incorporating the subject area could create an opportunity for additional connectivity per the 2040 Master Street Plan since the north side of Hughmount Road is designated as a planned Residential Link with extension to the east and west, and a planned trail connection runs along the east side of the property, extending south toward the Clabber Creek trail. Fayetteville Public Schools and the police department did not comment on the proposal.

DISCUSSION:

At the May 9, 2022 Planning Commission meeting, a vote of 9-0-0 forwarded the request to City Council with a recommendation of approval. Commissioner Canada made the motion and Commissioner McGetrick seconded. Commissioners offered little comment, finding the request to be appropriate. No public comment was offered at the meeting.

BUDGET/STAFF IMPACT:

N/A

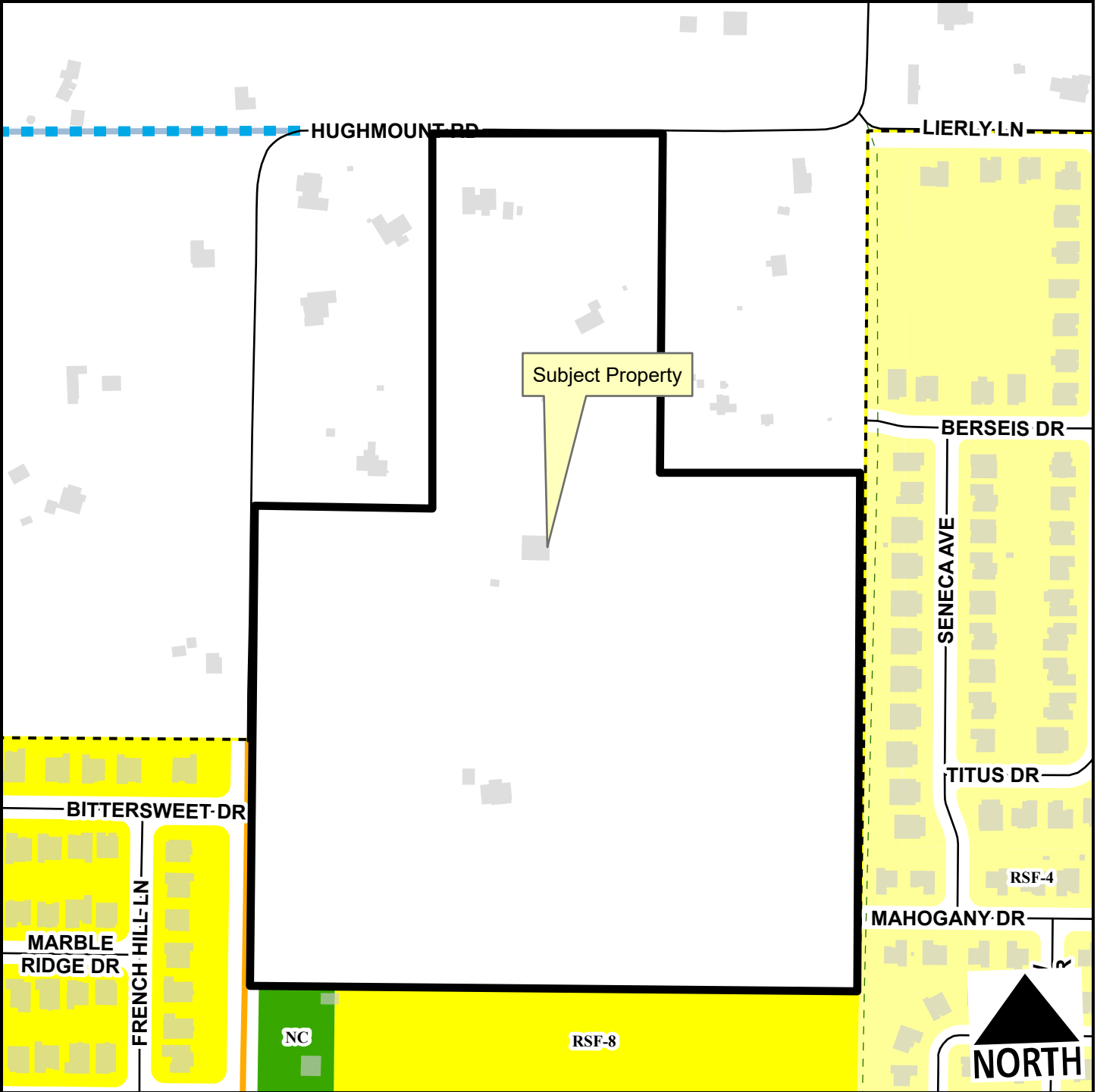
Attachments:








- Exhibit A
- Exhibit B
- Planning Commission Staff Report

ANX-2022-0001
<i>Close Up View</i>

Cullers

Close Up View



-  Neighborhood Link
-  Unclassified
-  Residential Link
-  Planned Residential Link
-  Planning Area
-  Fayetteville City Limits
-  Trail (Proposed)

Feet

0 115 230 460 690 920

1:3,750

-
- Legend:
- RSF-4
 - RSF-8
 - Neighborhood Conservation

ANX-2022-0001
EXHIBIT 'B'

A PART OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER AND A PART OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 31, TOWNSHIP 17 NORTH, RANGE 30 WEST, WASHINGTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: BEGINNING AT THE SOUTHEAST CORNER OF SAID SOUTHEAST QUARTER OF THE NORTHWEST QUARTER AND RUNNING THENCE S03°05'37"W 528.00', THENCE N87°29'28"W 1319.78', THENCE N02°33'39"E 534.55', THENCE N02°40'36"E 519.00', THENCE S87°12'24"E 405.89', THENCE N02°48'32"E 327.66', THENCE N01°17'12"E 460.21', THENCE S87°07'19"E 499.10', THENCE S02°20'59"W 713.39', THENCE S87°14'20"E 423.00', THENCE S02°22'57"W 592.87' TO THE POINT OF BEGINNING, CONTAINING 41.531 ACRES, MORE OR LESS. SUBJECT TO ALL EASEMENTS AND RIGHTS-OF-WAY OF RECORD.



TO: Fayetteville Planning Commission

THRU: Jessie Masters, Development Review Manager

FROM: Gretchen Harrison, Planner

MEETING DATE: May 9, 2022 (Updated with results from PC hearing)

SUBJECT: **ANX-2022-0001: Annexation (SE OF N. HUGHMOUNT RD./CULLERS, 243):** Submitted by WINDELL CULLERS for property located SE OF N. HUGHMOUNT RD. The property is in the FAYETTEVILLE PLANNING AREA and contains approximately 41.65 acres. The request is to annex the property into the City Limits of Fayetteville.

RECOMMENDATION:

Staff recommends forwarding **ANX-2022-0001** to City Council with a recommendation of approval.

RECOMMENDED MOTION:

*"I move to forward **ANX-2022-0001** to City Council with a recommendation of approval."*

BACKGROUND:

The subject property is northwest of Fayetteville approximately half a mile north of the intersection of W. Mount Comfort Road and N. Hughmount Road. The overall property includes five parcels totaling 41.65 acres. Three of the parcels are large lots that are currently developed with single-family dwellings and accessory agricultural structures. The remaining two lots are smaller parcels which are currently undeveloped. The site is relatively flat, sloping gradually downward towards Clabber Creek riparian corridor to the south. Surrounding land uses and zoning is depicted in *Table 1*.

Table 1
Surrounding Land Use and Zoning

Direction	Land Use	Zoning
North	Rural Residential	Washington County: AG/SF Res 1, Agricultural Single-family Residential (1 Unit per Acre)
South	Single-Family Residential	NC, Neighborhood Conservation; RSF-8, Residential Single-Family, 8 Units per Acre
East	Single-Family Residential	RSF-4, Residential Single-Family 4 Units per Acre
West	Single-Family Residential	Washington County: AG/SF Res 1, Agricultural Single-family Residential (1 Unit per Acre); RSF-8, Residential Single-Family, 8 Units per Acre

Request: The request is to annex the subject property into the City of Fayetteville. The applicant has stated that the annexation would be for the benefit of themselves and three other property owners. No future development or rezoning is proposed with this request.

Public Comment: Staff has received no public comment regarding this request.

INFRASTRUCTURE:

Streets: The subject property currently has frontage along Hughmount Road to the north and west. Hughmount Road is an approximately 20-foot-wide paved county road. It has open ditches on each side, no curb and gutter, and no sidewalk. Any street improvements required in the area would be determined at the time of development proposal.

Water: Public water is available to the subject property. A six-inch water main exists along the property's western and northern Hughmount Road frontage. A water main stub out is also planned in two locations from the adjoining property to the south which is currently under construction for a residential subdivision.

Sewer: Sanitary sewer is not currently available to the site. However, a sewer main extension has been permitted as part of the residential subdivision under construction to the south. Once completed, sewer access will be available to a portion of the proposed area to be annexed, mainly parcel 001-16804-000. Other parcels would be responsible for extending sewer at the property owner and/or developers' expense if they wanted to connect into sanitary sewer.

Drainage: No portion of the property lies within the Hillside Hilltop Overlay District (HHOD) or a FEMA floodplain, and no protected streams are present in the area. Hydric soils are present in the southeast corner of the property. Hydric soils are a known indicator of wetlands. However, for an area to be classified as wetlands, it may also need other characteristics such as hydrophytes (plants that grow in water), and shallow water during parts of the year. Hydric Soils can be found across many areas of Fayetteville, including valleys, floodplains, and open prairies. It's important to identify these natural resources during development, so when these soils are identified on a property, further environmental studies will be required at the time of development. Before permits will be issued for the property, a statement/report from an environmental professional must be provided summarizing the existence of wetlands on the property. If this statement/report indicates that wetlands may be present on site, a USACE Determination of Jurisdictional Wetlands will be required. Any additional improvements or requirements for drainage will be determined at time of development.

Fire: Station 7, located at 835 N. Ruppel Road, protects this site. The property is located approximately 2.9 miles from the fire station with an anticipated drive time of approximately six minutes using existing streets. The anticipated response time would be approximately 8.2 minutes. Fire Department response time is calculated based on the drive time plus one minute for dispatch and 1.2 minutes for turn-out time. Within the City Limits, the Fayetteville Fire Department has a response time goal of six minutes for an engine and eight minutes for a ladder truck. Fire apparatus access and fire protection water supplies will be reviewed for compliance with the Arkansas Fire Prevention Code at the time of development.

Police: The Police Department did not comment on this request.

CITY PLAN 2040 FUTURE LAND USE PLAN: City Plan 2040 Future Land Use Plan designates the property within the proposed rezone as **Residential Neighborhood Area**.

Residential Neighborhood Areas are primarily residential in nature and support a wide variety of housing types of appropriate scale and context: single-family, duplexes, rowhouses, multifamily and accessory dwelling units. Residential Neighborhood encourages highly connected, compact blocks with gridded street patterns and reduced building setbacks. It also encourages traditional neighborhood development that incorporates low-intensity non-residential uses intended to serve the surrounding neighborhoods, such as retail and offices, on corners and along connecting corridors. This designation recognizes existing conventional subdivision developments which may have large blocks with conventional setbacks and development patterns that respond to features of the natural environment. Building setbacks may vary depending on the context of the existing neighborhood.

CITY PLAN 2040 INFILL MATRIX: City Plan 2040's Infill Matrix indicates a score range between 1 and 4 for this site with a weighted score of 4 at the highest level. The following elements of the matrix contribute to the score:

- Near Water Main (N. Hughmount Road)
- Near Sewer Main (South of property, Aiden's Place SD)
- Near City Park (Lierly Lane Park; Clabber Creek Trail Corridor)
- Near Paved Trail (Clabber Creek Trail)

FINDINGS OF THE STAFF

CITY PLAN 2040 (Res. 35-20)

12.3 Annexation Guiding Policies

Boundaries

12.3.5.a Annex existing islands and peninsulas and do not annex areas that create an island or peninsula.

Finding: **The proposed annexation reduces a peninsula in the City's boundary as the subject property is bordered by the city limits of Fayetteville on three sides. Immediately to the west is the Hughmount Village subdivision which was annexed in 2020. To the east is the Lierly Lane subdivision which was annexed in 2006, and the Clabber Creek subdivision which was annexed in 1998. Aiden's Place subdivision is currently under construction to the south. While there are a few adjacent parcels southwest of Hughmount Road that were not included with this request, the proposed area to be annexed would further establish Hughmount Road as a logical boundary, consistent with previously annexed properties to the east and west. The requested annexation would not create an island in the City's boundary.**

12.3.5.b The proposed annexation area must be adjacent, or contiguous, to city limits.

Finding: **The proposed annexation area is adjacent and contiguous to Fayetteville's City Limits in northwest Fayetteville.**

12.3.5.c Areas should either include or exclude entire subdivisions or neighborhoods, not divide.

Finding: The proposed annexation is for an area containing no subdivisions. Development is limited to buildings and activity associated with low-density residential and agricultural land uses.

12.3.5.d Boundaries for annexed areas should follow natural corridors.

Finding: The proposed annexation boundary follows the property lines of the subject property. To the south, the annexation boundary aligns with existing, incorporated land, closing a peninsula between the Hughmount Village subdivision to the west and the Clabber Creek subdivision to the east. The western and northern extent of the property is bounded by Hughmount Road. The 2040 Master Street Plan shows a future Residential Link connection extending from the northern section of Hughmount Road. Incorporating the subject property could create an opportunity to improve Hughmount Road, and it could provide an opportunity for cross access between the subdivisions to the west and east. Cross access through the property could reduce traffic impacts on the Clabber Creek bridge to the south, which is in need of improvements.

12.3.5.e The provision of services should be concurrent with development.

Finding: The subject property is adjacent to City water and sewer but slightly outside of the current acceptable response time of the Fayetteville Fire Department. Connection to water and sewer service would be the responsibility of the property owner.

ENVIRONMENTALLY SENSITIVE AREAS

12.3.5.f Annex environmentally sensitive areas that could be impacted by development and utilize appropriate development regulations to protect those areas.

Finding: The subject property is only developed with three single-family dwellings and accessory structures that are used for agricultural purposes. The existing tree canopy on the site is minimal and no portion of the property lies within a FEMA floodplain, the Hillside-Hilltop Overlay District, or a streamside protection zone. However, hydric soils are present in the southeast corner of the property. Annexing the property would subject any future development to the City's higher standards and criteria for environmentally sensitive areas. Since hydric soils are present, wetland studies would be required at the time of building permit review.

EMERGENCY AND PUBLIC SERVICES

12.3.5.g Public services must be able to be provided efficiently in newly annexed areas.

Finding: **Fire:** The Fayetteville Fire Department response time to this location is approximately 8.2 minutes from the current closest station (835 N. Ruppel Road). The Fire Department response time goal is six minute for an engine and eight minutes for a ladder truck.

Police: To date, the Fayetteville Police Department has not expressed any concerns with this request.

12.3.5.h Annexed areas should receive the same level of service of areas already in the city limits.

Finding: The subject property would receive the same services, including trash service, police protection, fire protection, sewer, water, recycling and yard waste pick-up, and zoning protection as nearby property within the City.

12.3.5.i The ability to provide public services should be evaluated in terms of equipment, training of personnel, number of units, and response time.

Finding: These factors were taken into consideration in the responses and recommendations included in this report.

INFRASTRUCTURE AND UTILITIES

12.3.5.j Areas currently served by utilities and other public services should be annexed.

Finding: Fire protection is currently provided to the site by the Wheeler Fire Department. Although not the primary responder, fire protection is also provided by the City under its automatic response agreements with outlying areas. The overall property currently has access to City water and portions have access to sanitary sewer, but sanitary sewer extensions and upgrades would be required to serve the entire property.

12.3.5.k Proposed annexation areas should not require the upgrading of utilities to meet the demands of development unless there is a threat to public safety.

Finding: **Engineering:** Since sanitary sewer main extensions have been permitted for the development to the south and the property currently has access to City water, Engineering does not anticipate a need to upgrade utilities.

Planning: The proposed annexation will not immediately lead to increased density on the subject property or increased traffic congestion in the area. By default, properties annexed into the city are designated as R-A which would significantly limit the developable potential of the property.

12.3.5.l Phased annexation should be initiated by the City within active annexation areas based on planned service extensions or availability of services.

Finding: Not applicable; the proposed annexation is not part of a phased annexation initiated by the City.

INTERGOVERNMENTAL RELATIONS

12.3.5.m Promote long-range planning with adjacent jurisdictions.

Finding: Not applicable; the extent of the proposed annexation is not within or adjacent to the planning areas of other municipalities in Washington County. Additionally, the property would not require access through other jurisdictions nor would it be served by their services.

12.3.5.n Establish agreements to address regional concerns, such as water, stormwater, and sewer.

Finding: The subject area and all of those around it are served by either Fayetteville water, sewer, or both. Those currently not served by Fayetteville water and sewer utilize water wells or septic systems. If the property were to be annexed, it would be subject to the City's stormwater ordinances.

ADMINISTRATION OF ANNEXATIONS

12.3.5.o Develop a land use plan for annexation initiated by the City.

Finding: Not applicable; this annexation is not City-initiated. However, the subject area is included within the City's Future Land Use Plan and is designated as a Residential Neighborhood Area.

12.3.5.p Designate zoning districts for the property during the annexation process.

Finding: Annexations are automatically zoned R-A, Residential Agricultural per UDC §161.01(E). No request to rezone the property has been submitted.

12.3.5.q An annexation study should be completed on all annexation proposals.

Finding: Planning staff has engaged with the Engineering Division along with the Water and Sewer, Fire, and Police Departments to review the proposed annexation. The request was studied to determine if facilities or services are available or needed in association with this request. Responses are included throughout this report.

12.3.5.r Development proposals require a separate review from the annexation proposals.

Finding: Future development of the subject property will be required to go through the appropriate development review process. No development proposal has been submitted at this time.

12.3.5.s Residents should be fully informed of annexation activities.

Finding: Per §157.03 of the Unified Development Code, property owners and residents within 200 feet of the subject property have been notified. Additionally, a legal advertisement has been submitted with the local newspaper prior to the Planning Commission meeting for which this item is scheduled. Signage was posted on the site informing surrounding neighbors of the annexation proposal.

12.3.5.t Encourage larger annexations to create acceptable boundaries.

Finding: Staff finds the request would serve to reduce a peninsula of unincorporated area, further establishing the portion of Hughmount Road which runs east to west as a logical, 'squared-off' boundary for the City.

12.3.5.u Conduct a fiscal impact assessment on large annexations.

Finding: Given the moderate size of the subject property, a fiscal impact assessment was not conducted for the requested annexation. However, it should be noted that annexing land toward the western extent of the City and developing it can pose financial challenges for the City to maintain the public infrastructure in a fiscally sustainable manner.

RECOMMENDATION: Planning staff recommends forwarding ANX-2022-0001 to City Council with a recommendation of approval.

PLANNING COMMISSION ACTION: Required <u>YES</u>			
Date: <u>May 9, 2022</u>	<input type="checkbox"/> Tabled	<input checked="" type="checkbox"/> Forwarded with a recommendation of approval.	<input type="checkbox"/> Denied
Motion: <u>Canada</u>			
Second: <u>McGetrick</u>			
Vote: <u>9-0-0</u>			

BUDGET/STAFF IMPACT:

None

Attachments:

- City Plan 2040, Section 12.3: Annexation
- Request Letter
- Applicant Exhibit
- Order of Annexation
- One Mile Map
- Close-Up Map
- Current Land Use Map
- Future Land Use Map

12.3 Annexation

Annexation is the inclusion of previously unincorporated lands within the City limits. Annexation has benefits to the residents of the annexed area as well as to the City. The residents gain access to urban services, such as enhanced police and fire protection and have a voice in city government. The City gains the ability to control development and extend boundaries in a logical manner.

The purpose of this planning element is to take a more active approach toward annexations by identifying potential annexations areas and establishing annexation policies. The annexation policies will guide evaluation of future annexation proposals. The policies are designed to ensure that public services, infrastructure, and utility extension is properly addressed in order to manage growth. The potential annexation areas may become part of the City when these annexation policies are met.

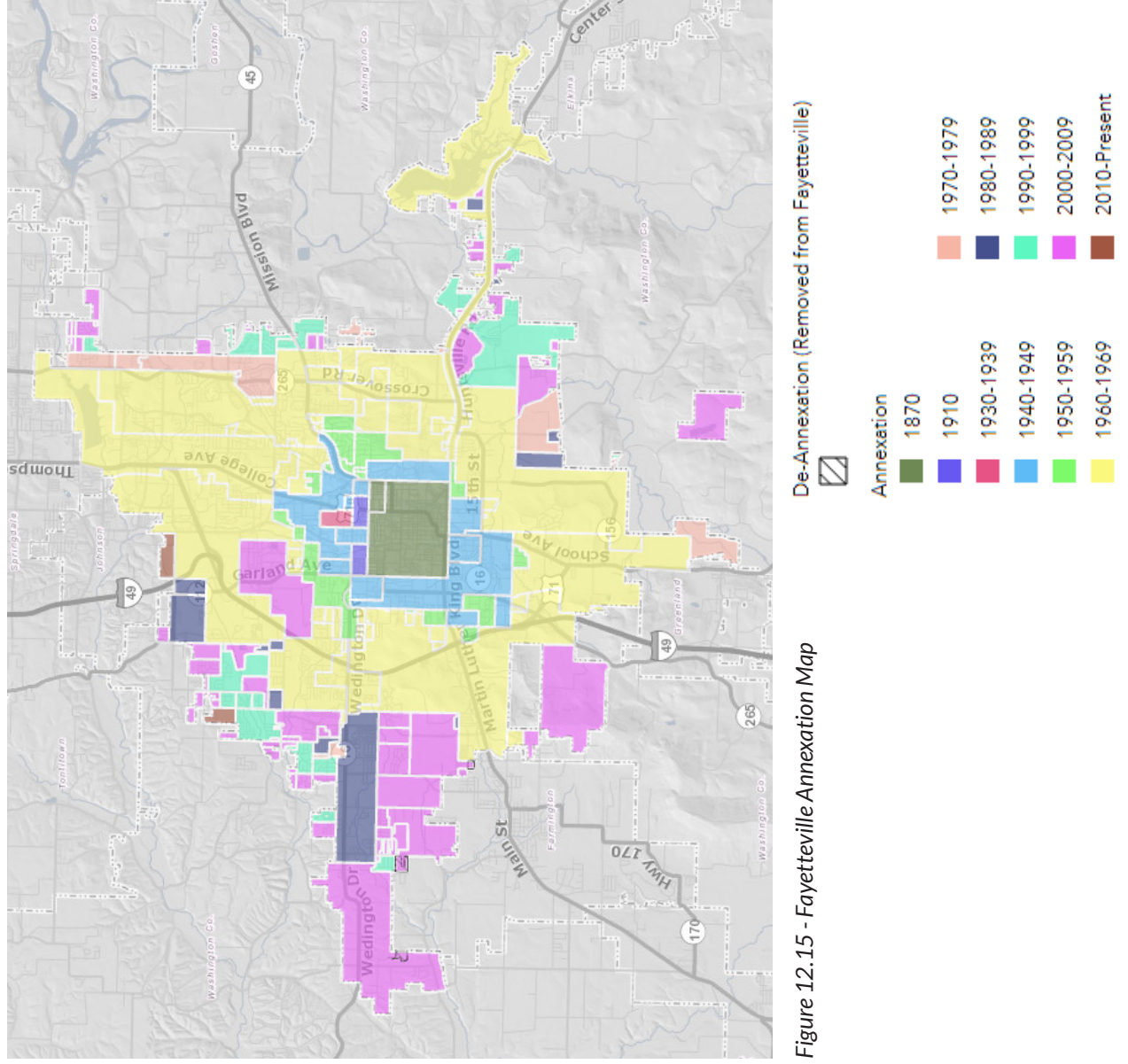


Figure 12.15 - Fayetteville Annexation Map



Annexation History and Trends

The original town was incorporated in 1870 with approximately 1,100 acres. Since incorporation, the City has made almost 200 annexations, totaling over 34,000 acres. Annexation activity was relatively slow until the 1940's, when over 2,500 acres were annexed within 19 annexations. During the 1950's, almost the same number of annexations took place, however, the total land area annexed was significantly smaller than in the 1940's. By the 1960's, annexation activity increased dramatically, with 42 annexations bringing over 18,000 acres into the city limits. Annexation numbers dropped in 1970 and stayed steady until the 1990's, when the number of annexations tripled from the 1980's. By 2000, the City contained 45 square miles and by 2018 the City contained approximately 55 square miles.

One indicator of the amount of developable land within the City is the number of people per acre. Prior to 1940 there were approximately 5.6 persons per acre. This era represents the time when Fayetteville was still relatively small and consisted primarily of what we would now consider the downtown and surrounding neighborhoods. By 1970, after numerous large annexations in the 1960's, the persons per acre had been reduced to 1.3. The City's population continued to increase dramatically through the 2000's when we maintained just over 2 people per acre from 2000-2010. An annexation referendum in October of 2006 for a large area along Wedington Drive on the west side of town brought in an additional 1,400 acres of low density land for eventual development.

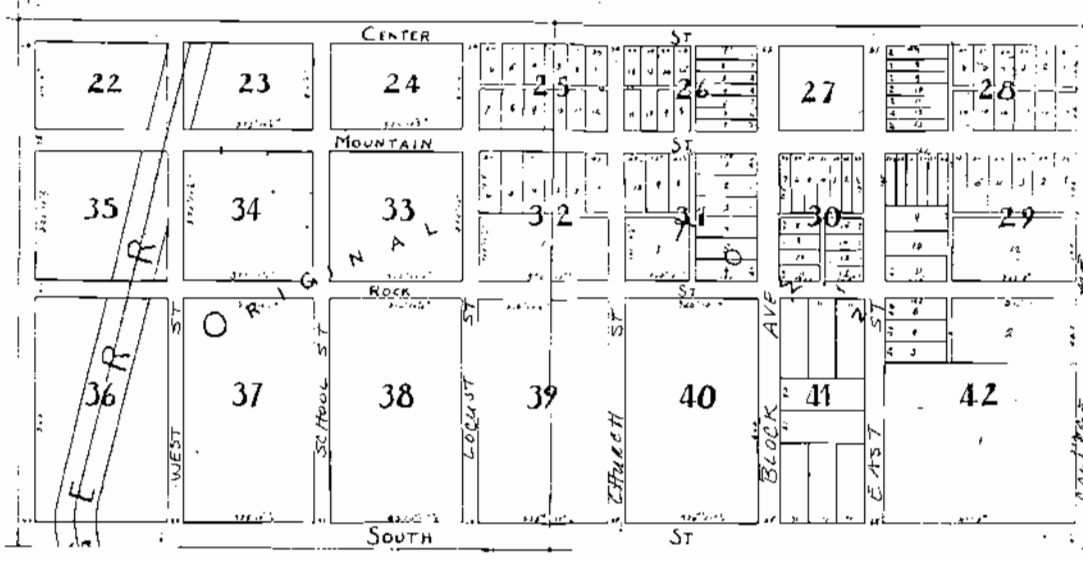


Figure 12.16 - Fayetteville Town Plat



State Statutes on Annexation

Title 14, Chapter 40 of the state statute discusses annexation. Annexations can be initiated by a municipality or by property owners.

A municipality can annex contiguous lands, lands surrounded by the municipality, unincorporated area that is completely bounded by two or more municipalities. If the municipality has the greater distance of city limits adjoining the area, and land contiguous and in adjacent counties to annex any contiguous lands, the governing body must adopt an ordinance, passed by two-thirds of the governing body and hold an election of the people. Those lands must meet one of the following criteria:

- Platted and held for sale or use as municipal lots;
- Whether platted or not, if the lands are held to be sold as suburban property;
- When the lands furnish the abode for a densely settled community or represent the actual growth of the municipality beyond its legal boundary;
- When the lands are needed for any proper municipal purposes such as for the extension of needed police regulation; or
- When they are valuable by reason of their adaptability for prospective municipal uses.

Contiguous lands must not be annexed if they meet either of the following criteria:

- Have a fair market value at the time of adoption of the ordinance of lands used only for agricultural or horticultural purposes and the highest and best use of the land is for agricultural or horticultural purposes; or
- Are lands upon which a new community is to be constructed with funds guaranteed in whole or in part by the federal government under Title IV of the Housing and Urban Development Act of 1968 or under Title VII of the Housing and Urban Development Act of 1970.

To annex land surrounded by a municipality, the governing body can propose an ordinance to annex the property. Again, the lands must meet the criteria listed above. A public hearing must be held within 60 days of the proposed ordinance, A majority of the governing body must approve the annexation for it to become effective.



Figure 12.17 - Great Seal of the State of Arkansas



Property owners in areas contiguous and adjacent to the municipality may request annexation. They can apply with a petition of the majority of land owners in the area, if the majority of the total number of owners own more than one-half of the acreage affected.

Potential Annexation Areas

The potential annexation areas should be identified by the City using the following criteria:

- Areas that are already urban in character.
- Areas that can be developed at urban densities.
- Immediate areas are those that are peninsulas or islands, where municipal services have already been extended.
- Vacant lands that are subject to development pressure.
- Areas where urban services are already provided.
- Areas where urban services are needed.

Annexation Guiding Policies

Boundaries

- Annex existing islands and peninsulas and do not annex areas that would create an island or peninsula.
- Proposed annexation area must be adjacent, or contiguous, to city limits.
- Areas should either include or exclude entire subdivisions or neighborhoods, not divide.
- Boundaries for annexed areas should follow natural corridors.
- The provision of services should be concurrent with development.

Environmentally Sensitive Areas

- Annex environmentally sensitive areas that could be impacted by development and utilize appropriate development regulations to protect those areas.

Emergency and Public Services

- Public services must be able to be provided efficiently in newly annexed areas.
- Annexed areas should receive the same level of service of areas already in the city limits.
- The ability to provide public services should be evaluated in terms of equipment, training of personnel, number of units and response time.



Infrastructure and Utilities

- Areas currently served by utilities and other public services should be annexed.
- Proposed annexation areas should not require the upgrading of utilities to meet the demands of development unless there is a threat to public safety.
- Phased annexation should be initiated by the City within the active annexation areas based on planned service extensions or availability of services.

Intergovernmental Relations

- Promote long-range planning with adjacent jurisdictions.
- Establish agreements to address regional concerns, such as water, stormwater and sewer.

Administration of Annexations

- Develop a land use plan for annexation initiated by the City.
- Designate zoning districts for property during the annexation process.
- An annexation study should be completed on all annexation proposals.
- Development proposals require a separate review from the annexation proposals.
- Residents should be fully informed of annexation activities.
- Encourage larger annexations to create acceptable boundaries.
- Conduct a fiscal impact assessment on large annexations.



CITY OF FAYETTEVILLE

PLANNING DEPT

SUBJECT: ANNEXATION OF 41 ACRES TO THE CITY OF FAYETTEVILLE

3/10/2022

I am requesting for the benefit of myself and three other owners of property located on North Hughmount Road, annexation of 41.65 acres to the city of Fayetteville, Ar. The property abuts the Lierly subdivision which was annexed into the city limits of Fayetteville on the east side about 30 years ago. The south boundry was annexed into the city in 2020. There are no islands in the 41.65 acres, and the property abuts Hughmount Rd on the west and the north.

Utilities are available on Hughmount Rd; water, electricity, natural gas, and sewer is about 200 feet from this property on both the east and the west side.

This is not an environmentally sensitive area. It is not in the flood plain and the area will not be adversely impacted by future development.

Public services are currently serving adjacent subdivisions that abut this property on two sides and directly across Hughmount Road in Hughmount Village. No additional services will be required as no request for development is being proposed in this annexation.

I have submitted notarized statements by the following owners to represent them in this request for annexation to the city of Fayetteville.

Tina Broida

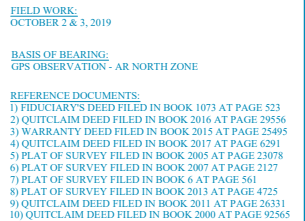
Yolanda Fields

James and Betty Ezell

Windell and Linda Cullers

VICINITY MAP

VICINITY MAP NOT TO SCALE






PATL-0001-16801-001 (VOYA ANDA FIELDS):
A PART OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 31, TOWNSHIP 17 NORTH, RANGE 30 WEST, WASHINGTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: BEGINNING AT A POINT WHICH IS N62°22'58" 592.87', THENCE N87°14'00"W 423.00' TO THE SOUTHEAST CORNER OF SAID SOUTHEAST QUARTER OF SECTION 31, THENCE S87°07'01"E 237.27', THENCE S82°09'09"W 713.39' TO THE POINT OF BEGINNING, CONTAINING 3.885 ACRES, MORE OR LESS, SUBJECT TO ALL EASEMENTS AND RIGHTS-OF-WAY OF RECORD.

PATL-0001-16804-000 (WINDLE & LINDA CULLES):
A PART OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 31, TOWNSHIP 17 NORTH, RANGE 30 WEST, WASHINGTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: BEGINNING AT THE SOUTHEAST CORNER OF SAID FORTY ACRE TRACT AND RUNNING THENCE N87°12'24"W 604.70', THENCE N62°04'32"E 486.00' TO THE POINT OF BEGINNING, CONTAINING 1.692 ACRES, MORE OR LESS, SUBJECT TO ALL EASEMENTS AND RIGHTS-OF-WAY OF RECORD.

PATL-0001-16805-000 (WINDLE & LINDA CULLES):
A PART OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 31, TOWNSHIP 17 NORTH, RANGE 30 WEST, WASHINGTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: BEGINNING AT A POINT WHICH IS N87°12'24"W 920.00' AND N62°04'32"E 234.00' FROM THE SOUTHEAST CORNER OF SAID FORTY ACRE TRACT AND RUNNING THENCE N87°12'24"W 405.35', THENCE N62°04'36"E 51.00', THENCE S82°04'32"E 405.35', THENCE S82°04'32"E 51.00' TO THE POINT OF BEGINNING, CONTAINING 0.475 ACRES, MORE OR LESS, SUBJECT TO ALL EASEMENTS AND RIGHTS-OF-WAY OF RECORD.

PATL-0001-16803-000 (TINA BRODIA):
A PART OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 31, TOWNSHIP 17 NORTH, RANGE 30 WEST, WASHINGTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: BEGINNING AT A POINT WHICH IS N87°12'24"W 920.00' AND N62°04'32"E 234.00' FROM THE SOUTHEAST CORNER OF SAID FORTY ACRE TRACT AND RUNNING THENCE N87°12'24"W 405.35', THENCE N62°04'36"E 234.00', THENCE S82°04'32"E 405.35', THENCE S82°04'32"E 234.00' TO THE POINT OF BEGINNING, CONTAINING 2.179 ACRES, MORE OR LESS, AND ALSO -> A PART OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 31, TOWNSHIP 17 NORTH, RANGE 30 WEST, WASHINGTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: BEGINNING AT A POINT WHICH IS N87°12'24"W 920.00' FROM THE SOUTHEAST CORNER OF SAID FORTY ACRE TRACT AND RUNNING THENCE N87°12'24"W 404.70', THENCE N62°04'36"E 234.00', THENCE S87°12'24"E 405.35', THENCE S82°04'32"E 234.00' TO THE POINT OF BEGINNING, CONTAINING 2.175 ACRES, MORE OR LESS, SUBJECT TO ALL EASEMENTS AND RIGHTS-OF-WAY OF RECORD.

PATL-0001-16800-000 (JAMES & BETTY ELLI REVOCAUC TRACT):
A PART OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 31, TOWNSHIP 17 NORTH, RANGE 30 WEST, WASHINGTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: BEGINNING AT THE NORTHEAST CORNER OF SAID FORTY ACRE TRACT AND RUNNING THENCE S05°05'37"W 528.00', THENCE N87°29'28"W 1319.78', THENCE S82°03'39"E 534.55', THENCE S87°12'24"E 1324.70' TO THE POINT OF BEGINNING, CONTAINING 16.126 ACRES, MORE OR LESS, SUBJECT TO ALL EASEMENTS AND RIGHTS-OF-WAY OF RECORD.

FOR USE AND BENEFIT OF WINHELL & LINDA CULLERS TINA BRODIE, YOLANDA WELLS JAMES & BETTY EZELL ADDRESS: N. HUGHMOUNT RD. PATTSVILLE COUNTY, ARKANSAS DATE: 05/08/2022 SCALE: 1"=120' SURVEYED BY: MR. JOC, MR. SECTION: 31 TOWNSHIP: 17 NORTH RANGE: 30 WEST REWEAVED: DT COA # 335	 Bates & Associates, Inc. Engineers - Surveyors - Landscape Architects 7230 S. Pleasant Ridge Dr • Fayetteville, Arkansas 72704 • 479.427.2030 Fax 479.427.2050 BATES & ASSOCIATES, INC. Copyright 2022 This survey was conducted for the purpose of persons whose names appear on this plan. This plan is not to be used for any other purpose without the express written consent of Bates & Associates, Inc. Surveyor has made no independent investigation for easements of record, recording title, restrictive covenants, or other matters which may affect any other title which is comprised and accurate title search may disclose. Any third interests provided on this plan for information only and Bates & Associates, Inc. assumes no liability for the correctness of the herein stated facts, furthermore the above statement does not represent the opinion of Bates & Associates, Inc. or the probability of flooding.	Location Map: 	LEGEND: THESE STANDARD SYMBOLS WILL BE FOUND IN THE DRAWING. ● FOUND 5/8" REBAR ● FOUND 1/2" REBAR ▲ COMPUTED POINT _____ PROPERTY LINE _____ PARCEL LINE _____ FORTY-FOOT TIE LINE _____ CENTERLINE OF ROAD _____ RIGHT-OF-WAY _____ WATER LINE		RECORDING NUMBER/DATE
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FILED

2022 MAR -4 AM 8:37

DEBRA L. HALL
CO. & PROBATE CLERK
WASHINGTON CO. AR

IN THE COUNTY COURT OF WASHINGTON COUNTY, ARKANSAS

IN THE MATTER OF ANNEXING TO
THE CITY OF FAYETTEVILLE, ARKANSAS
CERTAIN TERRITORY CONTIGUOUS

CC NO. 2022-2

ORDER CONCERNING ANNEXATION

On this 4th day March, 2022, of a regular term of the County Court of Washington County, Arkansas, there is presented a petition of an owner desiring the annexation of territory into the City of Fayetteville, Arkansas, more particularly described therein. The court has received the verification of the county assessor and county clerk required by A.C.A § 14-40-609. This Court being fully advised of the facts and the law does hereby find as follows:

1. The Court finds that the petition and verifications are complete and accurate.
2. The Court further finds that no enclaves will be created by the annexation.
3. The Court finds that the petition contains a schedule of services.

Therefore, the Court hereby ORDERS that the petition and this Order be delivered to the City of Fayetteville, Arkansas.

DocuSigned by:

Judge Joseph K. Wood

D2C20793C1D94CE

JOSEPH K. WOOD, COUNTY JUDGE

DATED: Mar 4, 2022 | 8:35 AM CST

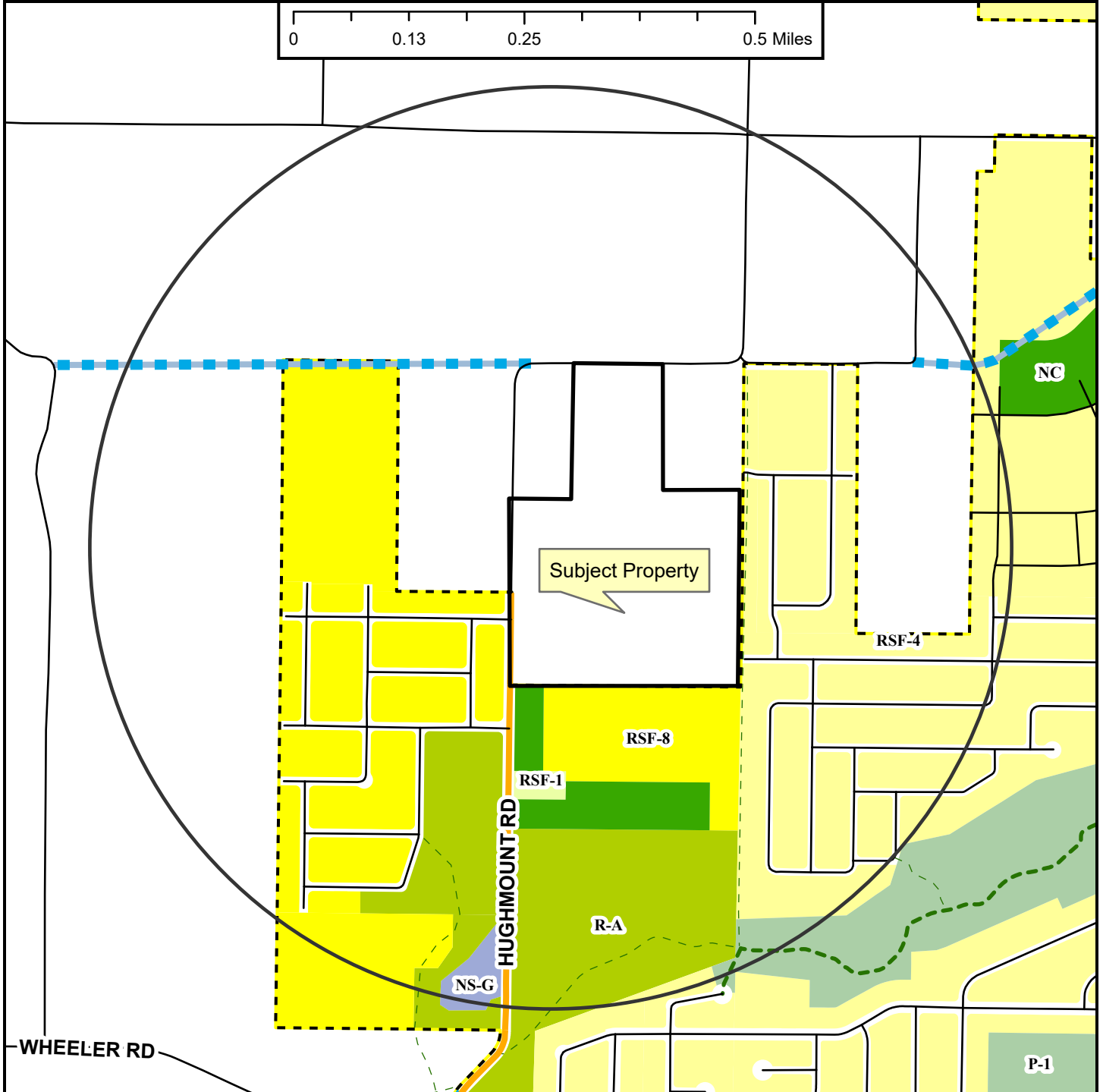
ANX-2022-0001

One Mile View

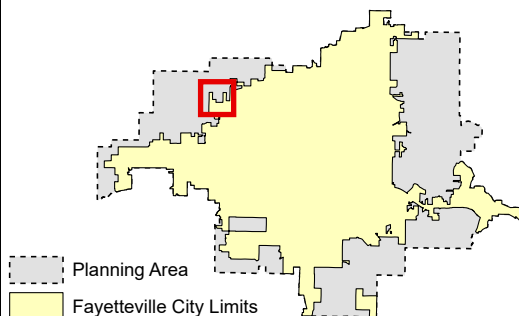
Cullers



0 0.13 0.25 0.5 Miles



- Neighborhood Link
- Unclassified
- Residential Link
- Planned Residential Link
- Shared-Use Paved Trail
- Trail (Proposed)
- Fayetteville City Limits
- Planning Area

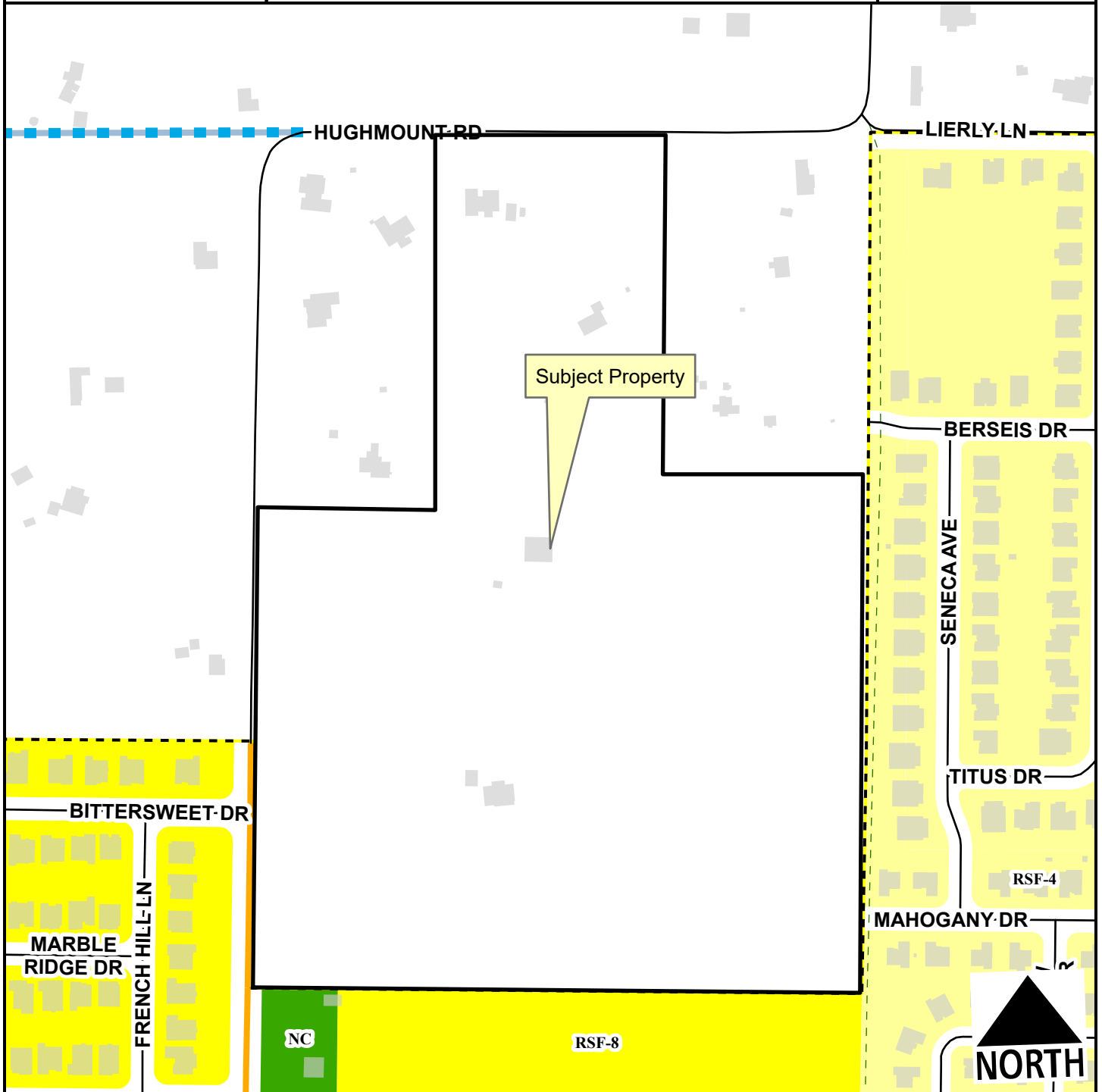


- Zoning**
- RESIDENTIAL SINGLE-FAMILY**
 - NS-G
 - RSF-1
 - RSF-2
 - RSF-4
 - RSF-7
 - RSF-8
 - RSF-18
 - RESIDENTIAL MULTI-FAMILY**
 - RMF-6
 - RMF-12
 - RMF-13
 - RMF-24
 - RMF-40
 - INDUSTRIAL**
 - I-1 Heavy Commercial and Light Industrial
- EXTRACTION**
- E-1
- COMMERCIAL**
- Residential-Office
 - C-1
 - C-2
 - C-3
- FORM BASED DISTRICTS**
- Downtown Core
 - Urban Thoroughfare
 - Main Street Center
 - Downtown General
 - Community Services
 - Neighborhood Services
 - Neighborhood Conservation
- PLANNED ZONING DISTRICTS**
- Commercial, Industrial, Residential
 - P-1

ANX-2022-0001

Cullers

Close Up View



- Neighborhood Link
- Unclassified
- Residential Link
- Planned Residential Link
- Planning Area
- Fayetteville City Limits
- Trail (Proposed)

Feet

0 115 230 460 690 920

1:3,750

- RSF-4
- RSF-8
- Neighborhood Conservation

