



**MEETING OF AUGUST 1, 2023**

**TO:** Mayor Jordan and City Council

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

**FROM:** Gretchen Harrison, Senior Planner

**DATE:**

**SUBJECT:** **RZN-2023-0016: Rezoning (2900 N. HUGHMOUNT RD./RENNER, 243): Submitted by ATLAS PLS for property located at 2900 N. HUGHMOUNT RD. in WARD 4. The property is zoned R-A, RESIDENTIAL-AGRICULTURAL and contains approximately 4.35 acres. The request is to rezone the property to RSF-1, RESIDENTIAL SINGLE-FAMILY, ONE UNIT PER ACRE.**

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**RECOMMENDATION:**

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

**BACKGROUND:**

The subject property is located just within city limits on the east side of Hughmount Road in northwest Fayetteville. The property contains one parcel totaling 4.35 acres which is currently undeveloped and zoned R-A, Residential-Agricultural. The property was annexed into the City of Fayetteville last year (Ord. 6570). A lot split, which would subdivide the subject property into three parcels of equal size, is current under administrative review (LSP-2023-0025).

*Request:* The request is to rezone the subject property from R-A, Residential-Agricultural to RSF-1, Residential Single-Family, One Unit per Acre.

*Public Comment:* Staff received no public comment on this item.

*Land Use Compatibility:* Staff finds the proposed rezoning to be compatible with surrounding land uses. The subject property is located just within city limits and is largely surrounded by low-density rural residences to the north and west and higher-density single- and two-family residential subdivisions to the south and east. A rezoning from R-A to RSF-1 on the subject property would allow for a slight increase in density, from 0.5 units per acre to one unit per acre, while limiting by-right development to single-family residences. Setback requirements and maximum building heights would remain unchanged with the proposed rezoning. Bulk and area regulations would vary slightly with a rezoning from R-A to RSF-1 reducing the minimum lot width from 200 feet to 150 feet and reducing the minimum lot area from two acres to 35,720 square feet. When considering the regulations associated with each zoning district and the size of the subject property, staff finds that the proposed rezoning would allow for low-density single-family residential development that is appropriate

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Mailing address:

113 W. Mountain Street  
Fayetteville, AR 72701

[www.fayetteville-ar.gov](http://www.fayetteville-ar.gov)

in scale and consistent with the existing development pattern in the area.

*Land Use Plan Analysis:* Staff finds that a rezoning from R-A to RSF-1 could support the property's future land use designation as Residential Neighborhood area since it would encourage the development of low-density detached dwellings in a suitable environment. While the property has a low infill score of two, staff finds that the proposed rezoning could support Goals 1 and 2 of City Plan 2040 by allowing for an incremental increase in density for an area that has largely become developed with low-density residential subdivisions, and by discouraging suburban sprawl outside of city limits.

*City Plan 2040 Infill Matrix:* City Plan 2040's Infill Matrix indicates a rating of 2 for this site. The following elements of the matrix contribute to the score:

- Near Sewer Main (eight-inch main, Bittersweet Drive)
- Near Water Main (six-inch main, Hughmount Road)

**DISCUSSION:**

At the July 10, 2023 Planning Commission meeting, a vote of 8-0-0 forwarded the request to City Council with a recommendation of approval. Commissioner Garlock made the motion and Commissioner Payne seconded it. Commissioners found the requested rezoning to be appropriate and offered little comment on the item. No public comment was offered at the meeting.

**BUDGET/STAFF IMPACT:**

N/A

**ATTACHMENTS:** SRF, Exhibit A, Exhibit B, Planning Commission Staff Report

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# City of Fayetteville, Arkansas

113 West Mountain Street  
Fayetteville, AR 72701  
(479) 575-8323

## Legislation Text

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**File #:** 2023-916

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**RZN-2023-0016: Rezoning (2900 N. HUGHMOUNT RD./RENNER, 243): Submitted by ATLAS PLS for property located at 2900 N. HUGHMOUNT RD. in WARD 4. The property is zoned R-A, RESIDENTIAL-AGRICULTURAL and contains approximately 4.35 acres. The request is to rezone the property to RSF-1, RESIDENTIAL SINGLE-FAMILY, ONE UNIT PER ACRE.**

AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 23-016 LOCATED AT 2900 HUGHMOUNT ROAD IN WARD 4 FOR APPROXIMATELY 4.35 ACRES FROM R-A, RESIDENTIAL-AGRICULTURAL TO RSF-1, RESIDENTIAL SINGLE-FAMILY, 1 UNIT PER ACRE

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE, ARKANSAS:**

Section 1: That the City Council of the City of Fayetteville, Arkansas hereby changes the zone classification of the property shown on the map (Exhibit A) and the legal description (Exhibit B) both attached to the Planning Department's Agenda Memo from R-A, Residential Agricultural to RSF-1, Residential Single-Family, 1 Unit Per Acre.

Section 2: That the City Council of the City of Fayetteville, Arkansas hereby amends the official zoning map of the City of Fayetteville to reflect the zoning change provided in Section 1.



**TO:** Fayetteville Planning Commission

**THRU:** Jessie Masters, Development Review Manager

**FROM:** Gretchen Harrison, Senior Planner

**MEETING DATE:** July 10, 2023 (updated with results)

**SUBJECT:** **RZN-2023-0016: Rezoning (2900 N. HUGHMOUNT RD./RENNER, 243):** Submitted by ATLAS PLS for property located at 2900 N. HUGHMOUNT RD. The property is zoned R-A, RESIDENTIAL-AGRICULTURAL and contains approximately 4.35 acres. The request is to rezone the property to RSF-1, RESIDENTIAL SINGLE-FAMILY, ONE UNIT PER ACRE.

**RECOMMENDATION:**

Staff recommends forwarding **RZN-2023-0016** to City Council with a recommendation of approval based on the findings herein.

**RECOMMENDED MOTION:**

*“I move to forward **RZN-2023-0016** to City Council with a recommendation of approval.”*

**BACKGROUND:**

The subject property is located just within city limits on the east side of Hughmount Road in northwest Fayetteville. The property contains one parcel totaling 4.35 acres which is currently undeveloped and zoned R-A, Residential-Agricultural. The property was annexed into the City of Fayetteville last year (Ord. 6570). A lot split, which would subdivide the subject property into three parcels of equal size, is current under administrative review (LSP-2023-0025). Surrounding land uses and zoning are depicted in *Table 1*.

**Table 1:  
Surrounding Land Uses and Zoning**

<b>Direction</b>	<b>Land Use</b>	<b>Zoning</b>
North	Rural Residential	R-A, Residential-Agricultural
South	Rural Residential	R-A, Residential-Agricultural
East	Rural Residential	R-A, Residential-Agricultural
West	Rural Residential	AG/SF 1, Agricultural/Single-Family Residential, One Unit per Acre (Washington County)

*Request:* The request is to rezone the subject property from R-A, Residential-Agricultural to RSF-1, Residential Single-Family, One Unit per Acre.

*Public Comment:* To date, staff has not received any public comment regarding this request.

**INFRASTRUCTURE AND ENVIRONMENTAL REVIEW:**

**Streets:** The subject property has frontage along Hughmount Road, an unclassified street with asphalt paving and open ditches. Any street improvements required in this area would be determined at the time of development proposal.



**Water:** Public water is available to the subject property. An existing six-inch water main is present on the east side of Hughmount Road.

**Sewer:** Sanitary sewer is not currently available to the subject property.

**Drainage:** No portion of the property lies within a FEMA-designated floodplain or the Hillside/Hilltop Overlay District and no protected streams or hydric soils are present. Any improvements or requirements for drainage would be determined at the time of development proposal.

**Fire:** Station 7, located at 835 N. Ruppel Rd., protects this site. The property is located approximately 2.8 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.

**Tree Preservation:**

The current zoning district of R-A, Residential-Agricultural and the proposed zoning district of RSF-1, Residential Single-Family, One Unit per Acre both require **25% minimum canopy preservation.**

**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 of 2 for this site with a weighted score of 4. The following elements of the matrix contribute to this score:

- Near Sewer Main (eight-inch main, Bittersweet Drive)
- Near Water Main (six-inch main, Hughmount Road)

## FINDINGS OF THE STAFF

1. A determination of the degree to which the proposed zoning is consistent with land use planning objectives, principles, and policies and with land use and zoning plans.

**Finding:** *Land Use Compatibility:* Staff finds the proposed rezoning to be compatible with surrounding land uses. The subject property is located just within city limits and is largely surrounded by low-density rural residences to the north and west and higher-density single- and two-family residential subdivisions to the south and east. A rezoning from R-A to RSF-1 on the subject property would allow for a slight increase in density, from 0.5 units per acre to one unit per acre, while limiting by right development to single-family residences. Setback requirements and maximum building heights would remain unchanged with the proposed rezoning. Bulk and area regulations would vary slightly with a rezoning from R-A to RSF-1 reducing the minimum lot width from 200 feet to 150 feet and reducing the minimum lot area from two acres to 35,720 square feet. When considering the regulations associated with each zoning district and the size of the subject property, staff finds that the proposed rezoning would allow for low-density single-family residential development that is appropriate in scale and consistent with the existing development pattern in the area.

*Land Use Plan Analysis:* Staff finds that a rezoning from R-A to RSF-1 could support the property's future land use designation as Residential Neighborhood area since it would encourage the development of low-density detached dwellings in a suitable environment. While the property has a low infill score of two, staff finds that the proposed rezoning could support Goals 1 and 2 of City Plan 2040 by allowing for increased density in an area that has largely become developed with low-density residential subdivisions, and by discouraging suburban sprawl outside of city limits.

2. A determination of whether the proposed zoning is justified and/or needed at the time the rezoning is proposed.

**Finding:** Staff finds that the proposed rezoning is justified and/or needed at this time. A rezoning to RSF-1 could promote a slight increase in density near the City's periphery, and it could serve as a transition between low-density rural residential areas to the north and west and higher-density single-family residential areas to the south and east.

3. A determination as to whether the proposed zoning would create or appreciably increase traffic danger and congestion.

**Finding:** Staff finds that rezoning the subject property from R-A to RSF-1 is likely to have a negligible impact on traffic danger and congestion. The property has frontage along a portion of Hughmount Road that is unclassified in the 2040 Master Street Plan, and no traffic crashes have been reported nearby.

4. A determination as to whether the proposed zoning would alter the population density and thereby undesirably increase the load on public services including schools, water, and sewer facilities.

**Finding:** Rezoning the property from R-A to RSF-1 has the potential to increase population density at this location, though impacts on public services are not expected to be significant. The site has access to public water and access to public sewer is being coordinated as part of an associated lot split. Any necessary upgrades or extensions to water or sewer lines would be determined at the time of development review. Fayetteville Public Schools did not comment on this request.

5. If there are reasons why the proposed zoning should not be approved in view of considerations under b (1) through (4) above, a determination as to whether the proposed zoning is justified and/or necessitated by peculiar circumstances such as:
- a. It would be impractical to use the land for any of the uses permitted under its existing zoning classifications;
  - b. There are extenuating circumstances which justify the rezoning even though there are reasons under b (1) through (4) above why the proposed zoning is not desirable.

**Finding:** N/A

**RECOMMENDATION:** Planning staff recommends forwarding RZN-2023-0016 to City Council with a recommendation of approval.

<b>PLANNING COMMISSION ACTION:</b>	Required	<u>YES</u>	
<b>Date:</b> <u>July 10, 2023</u>	<input type="checkbox"/> Tabled	<input checked="" type="checkbox"/> Forwarded with recommendation of approval	<input type="checkbox"/> Denied
<b>Motion:</b> Garlock			
<b>Second:</b> Payne			
<b>Vote:</b> 8-0-0			

**BUDGET/STAFF IMPACT:**

None

**ATTACHMENTS:**

- Unified Development Code:
  - §161.03 District R-A, Residential-Agricultural
  - §161.05 District RSF-1, Residential Single-Family – One (1) Unit Per Acre
- Request Letter
- One Mile Map
- Close-Up Map
- Current Land Use Map
- Future Land Use Map

**161.05 District RSF-1, Residential Single-Family - One (1) Unit Per Acre**

(A) *Purpose.* A district having single-family detached residences on lots with a minimum size of one (1) unit per acre. The district is designed to permit and encourage the development of very low density detached dwellings in suitable environments, as well as to protect existing development of these types.

(B) *Uses.*

(C) *Permitted Uses.*

Unit 1	City-wide uses by right
Unit 8	Single-family dwellings
Unit 41	Accessory dwellings
Unit 46	Short-term rentals

(D) *Conditional Uses.*

Unit 2	City-wide uses by conditional use permit
Unit 3	Public protection and utility facilities
Unit 4	Cultural and recreational facilities
Unit 5	Government facilities
Unit 24	Home occupations
Unit 36	Wireless communications facilities
Unit 44	Cluster Housing Development

(E) *Density.*

Units per acre	1
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(F) *Bulk and Area Regulations.*

Lot width minimum	150 feet
Lot area minimum	35,720 square feet
Land area per dwelling unit	35,720 square feet

(G) *Setback Requirements.*

Front	Side	Rear
35 feet	20 feet	35 feet

(H) *Building Height Regulations.*

Building Height Maximum	3 stories
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(I) *Building Area.* None.

(Code 1965, §160.44; Ord. No. 3792, §4, 5-17-94; Ord. No. 4100, §2 (Ex. A), 6-16-98; Ord. No. 4858, 4-18-06; Ord. No. 5028, 6-19-07; Ord. No. 5128, 4-15-08; Ord. No. 5224, 3-3-09; Ord. No. 5462, 12-6-11; Ord. No. 5921, §1, 11-1-16; Ord. No. 6015, §1(Exh. A), 11-21-17; Ord. No. 6427, §§1(Exh. C), 2, 4-20-21)

**ATLAS**  
**PROFESSIONAL LAND SURVEYING**

P.O. BOX 1026  
West Fork, AR 72774  
Ph. 479.294.6177

To whom it may concern:

Our client, Mr. Renner is proposing a rezone of parcels 765-21246-200 & 765-21246-300 from R-A to R-1. The parcels total 4.35 acres and is located on N. Hughmount Road. If you have any questions or comments, please contact this office.

Thank you,

Tim West, PS

**161.03 District R-A, Residential-Agricultural**

(A) *Purposes.* The regulations of the agricultural district are designed to protect agricultural land until an orderly transition to urban development has been accomplished; prevent wasteful scattering of development in rural areas; obtain economy of public funds in the providing of public improvements and services of orderly growth; conserve the tax base; provide opportunity for affordable housing, increase scenic attractiveness; and conserve open space.

(B) *Uses.*

(1) *Permitted Uses.*

Unit 1	City-wide uses by right
Unit 3	Public protection and utility facilities
Unit 6	Agriculture
Unit 7	Animal husbandry
Unit 8	Single-family dwellings
Unit 9	Two-family dwellings
Unit 37	Manufactured homes
Unit 41	Accessory dwellings
Unit 43	Animal boarding and training
Unit 46	Short-term rentals

(2) *Conditional Uses.*

Unit 2	City-wide uses by conditional use permit
Unit 4	Cultural and recreational facilities
Unit 5	Government facilities
Unit 20	Commercial recreation, large sites
Unit 24	Home occupations
Unit 35	Outdoor Music Establishments
Unit 36	Wireless communications facilities
Unit 42	Clean technologies

(C) *Density.*

Units per acre	One-half (½)
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(D) *Bulk and Area Regulations.*

Lot width minimum	200 feet
Lot Area Minimum:	
Residential:	2 acres
Nonresidential:	2 acres
Lot area per dwelling unit	2 acres

(E) *Setback Requirements.*

Front	Side	Rear
35 feet	20 feet	35 feet

(F) *Height Requirements.* There shall be no maximum height limits in the R-A District, provided, however, if a building exceeds the height of one (1) story, the portion of the building over one (1) story shall have an additional setback from any boundary line of an adjacent residential district. The amount of additional setback for the portion of the building over one (1) story shall be equal to the difference between the total height of that portion of the building and one (1) story.

(G) *Building area.* None.

(Code 1965, App. A., Art. 5(1); Ord. No. 1747, 6-29-70; Code 1991, §160.030; Ord. No. 4100, §2 (Ex. A), 6-16-98; Ord. No. 4178, 8-31-99; Ord. No. 5028, 6-19-07; Ord. No. 5128, 4-15-08; Ord. No. 5195, 11-6-08; Ord. No. 5238, 5-5-09; Ord. No. 5479, 2-7-12; Ord. No. 5945, §3, 1-17-17; Ord. No. 6015, §1(Exh. A), 11-21-17; Ord. No. 6427, §§1(Exh. C), 2, 4-20-21)

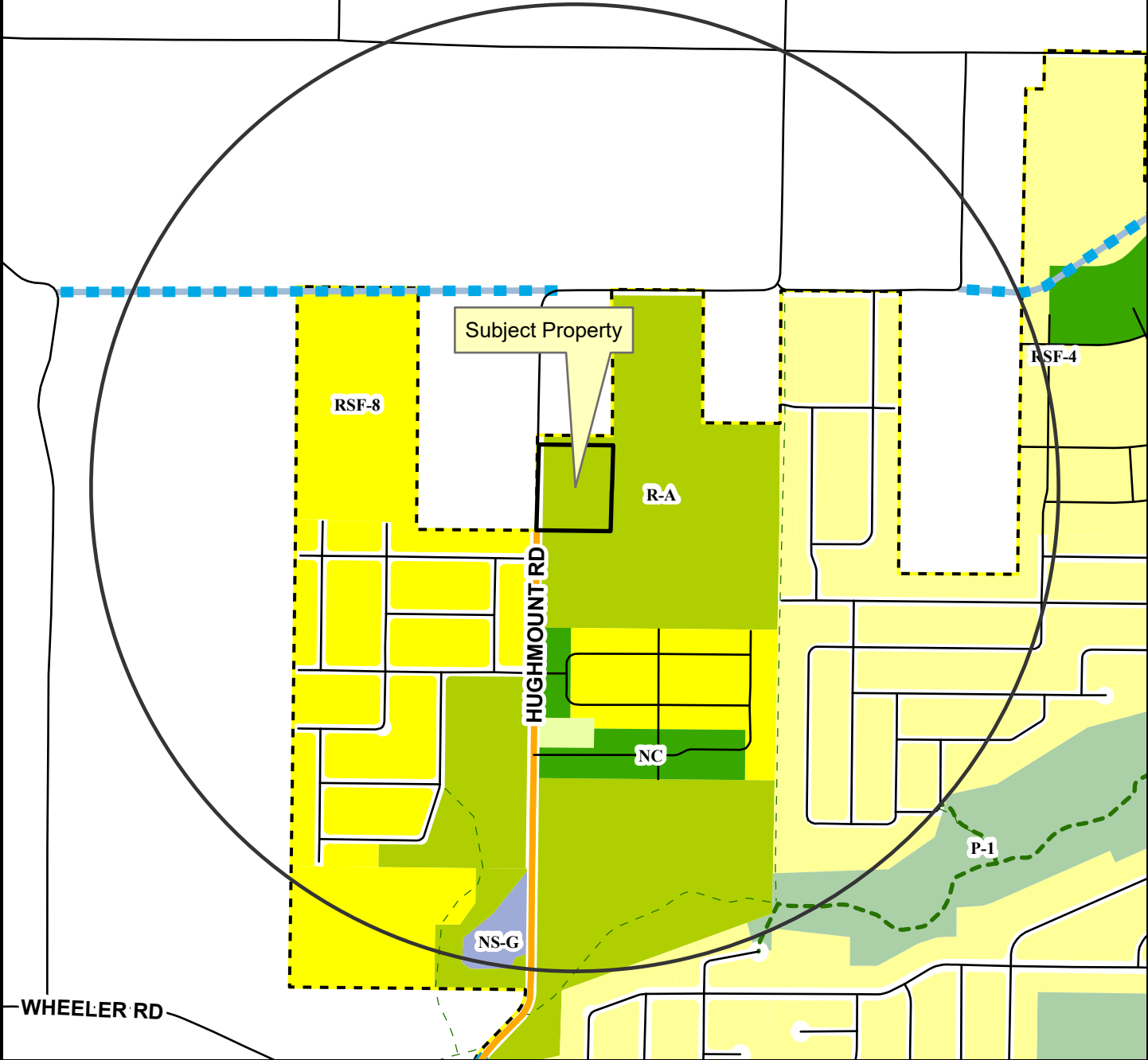
RZN-2023-0016

# 2900 N. HUGHMOUNT RD

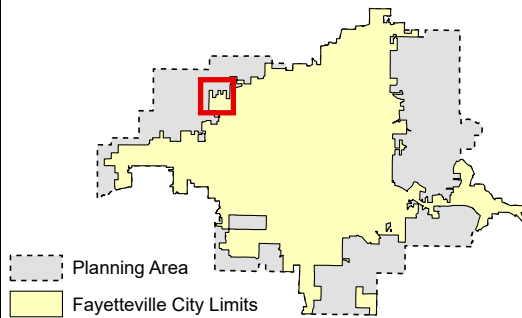
One Mile View



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

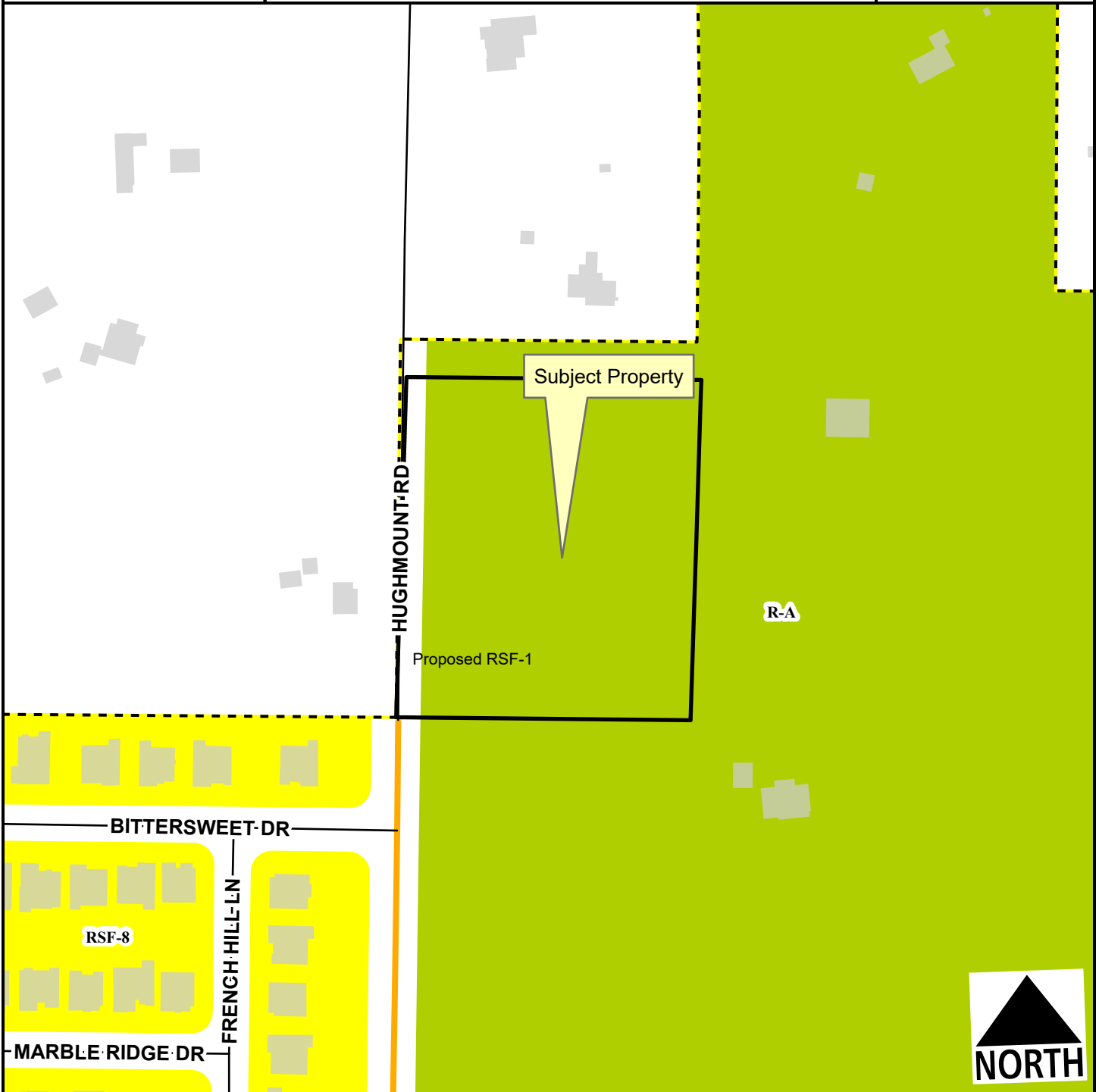







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| <p><b>Zoning</b></p> <p><b>RESIDENTIAL SINGLE-FAMILY</b></p> <ul style="list-style-type: none"> <li> NS-G</li> <li> RH-U</li> <li> RH-12</li> <li> NS-L</li> <li> Residential-Agricultural</li> <li> RSF-5</li> <li> RSF-1</li> <li> RSF-2</li> <li> RSF-4</li> <li> RSF-7</li> <li> RSF-8</li> <li> RSF-18</li> </ul> <p><b>RESIDENTIAL MULTI-FAMILY</b></p> <ul style="list-style-type: none"> <li> RMF-6</li> <li> RMF-12</li> <li> RMF-18</li> <li> RMF-24</li> <li> RMF-40</li> </ul> <p><b>INDUSTRIAL</b></p> <ul style="list-style-type: none"> <li> I-1 Heavy Commercial and Light Industrial</li> </ul> | <ul style="list-style-type: none"> <li> I-2 General Industrial</li> </ul> <p><b>EXTRACTION</b></p> <ul style="list-style-type: none"> <li> E-1</li> </ul> <p><b>COMMERCIAL</b></p> <ul style="list-style-type: none"> <li> Residential-Office</li> <li> C-1</li> <li> C-2</li> <li> C-3</li> </ul> <p><b>FORM BASED DISTRICTS</b></p> <ul style="list-style-type: none"> <li> Downtown Core</li> <li> Urban Thoroughfare</li> <li> Main Street Center</li> <li> Downtown General</li> <li> Community Services</li> <li> Neighborhood Services</li> <li> Neighborhood Conservation</li> </ul> <p><b>PLANNED ZONING DISTRICTS</b></p> <ul style="list-style-type: none"> <li> Commercial, Industrial, Residential</li> <li> P-1</li> </ul> |
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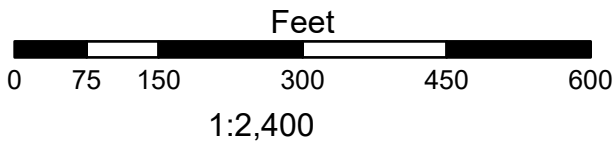
RZN-2023-0016

# 2900 N. HUGHMOUNT RD

Close Up View



-  Neighborhood Link
-  Unclassified
-  Residential Link
-  Planning Area
-  Fayetteville City Limits



<u>Zone</u>	<u>Current</u>	<u>Proposed</u>
R-A	4.0	0.0
RSF-1	0.0	4.4

Total 4.4 ac



RZN-2023-0016

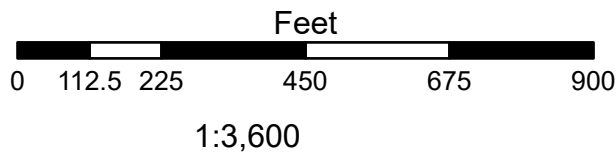
# 2900 N. HUGHMOUNT RD



Current Land Use



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



### FEMA Flood Hazard Data

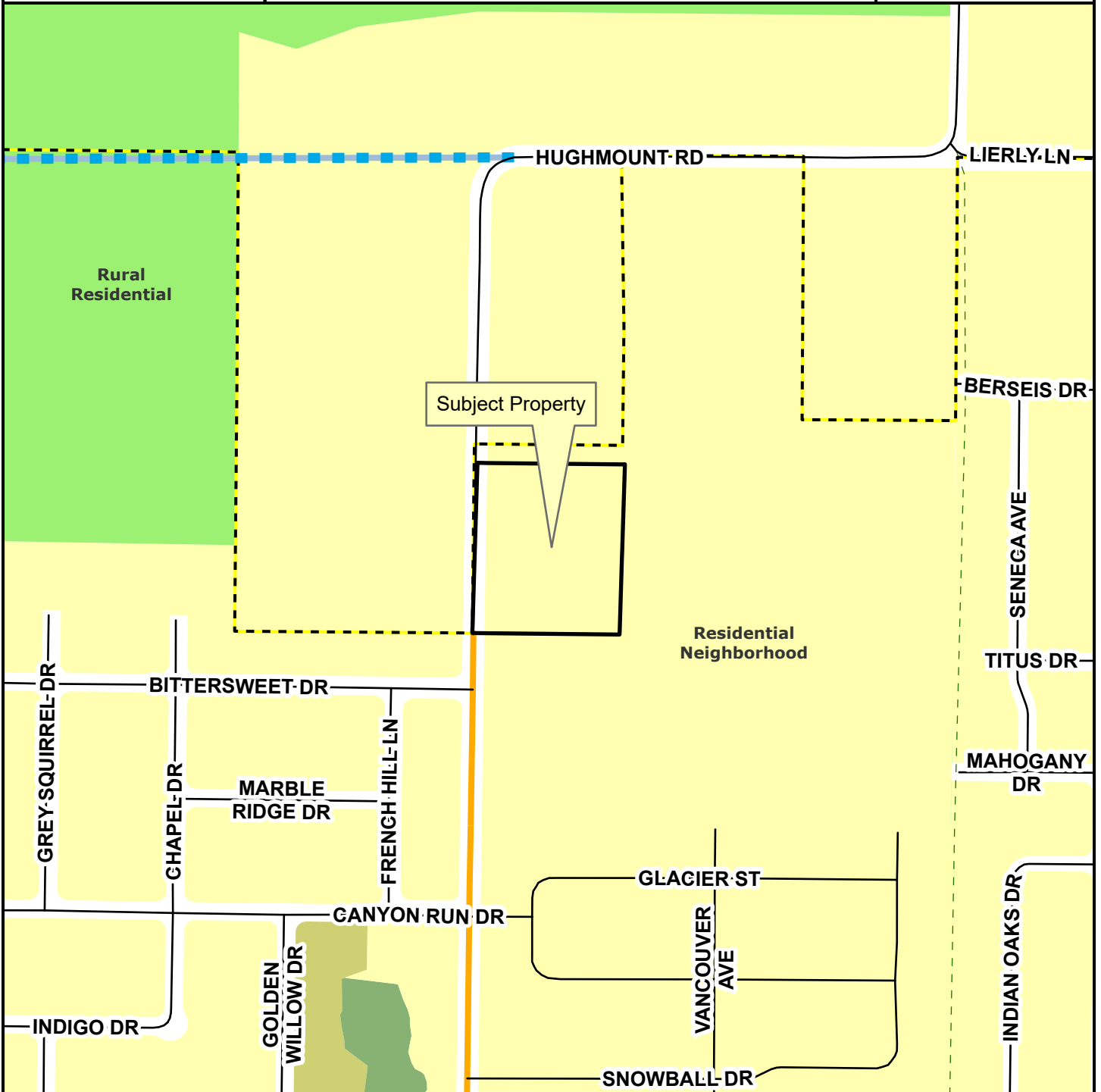
- 100-Year Floodplain
- Floodway

RZN-2023-0016

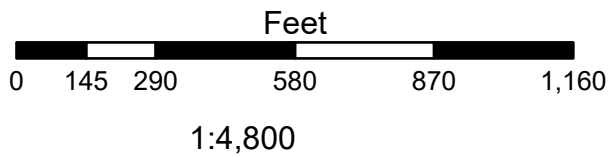
# 2900 N. HUGHMOUNT RD



Future Land Use



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



- City Neighborhood
- Civic Institutional
- Civic and Private Open Space
- Industrial
- Natural
- Non-Municipal Government
- Residential Neighborhood
- Rural Residential
- Urban Center