

MINUTES
WASHINGTON COUNTY PLANNING BOARD
September 26, 2019
5:00 pm, Quorum Court Room, New Court House
280 N. College Ave.
Fayetteville, Arkansas 72701

DEVELOPMENTS REVIEWED:

ACTION TAKEN:

LAND DEVELOPMENT HEARINGS

County

a. Minor Subdivision Replat Lots 701, 702, 703 & part of 704 Wedington Woods **Approved**

County

b. Johnson & Smith CUP **Approved**

Fayetteville Planning Area

c. Tom's Tackle & Bait Shop CUP **Approved**

CONDITIONAL USE PERMIT HEARINGS

County

d. Moua CUP **Approved**

County

e. Munyon Road Wireless Facility CUP **Approved**

1. ROLL CALL: *Roll call was taken. Members present include Walter Jennings, Robert Daugherty, Philip Humbar, Joel Kelsey and Neil Helm. Randy Laney and Jay Percy were not present.*
2. APPROVAL OF MINUTES: *Walter Jennings made a motion to approve the minutes of August 22, 2019. Philip Humbar seconded. All board members present were in favor of approving. Motion passed.*
3. APPROVAL OF THE AGENDA: *Philip Humbar made a motion to approve the amended agenda in order to convene the Planning Board and Zoning Board of Adjustments separately. Joel Kelsey seconded. All board members present were in favor of approving. Motion passed.*
4. NEW BUSINESS

LAND DEVELOPMENT HEARING

County

a. Minor Subdivision Replat Lots 701, 702, 703 & part of 704 Wedington Woods Subdivision

Preliminary and Final Land Development Requests

Location: Section 08, Township 16, Range 31

Owners: James & Jessica Gibson

Applicants: Atlas Surveying

Location Address: 13841 Bob White WC 1159

Approximately: +/- 5.08 acres / 4 lots

Coordinates: Latitude: 36.08349784, Longitude: -94.29885066

Project #: 2019-206

Planner: Sita Nanthavong email: snanthavong@co.washington.ar.us

REQUEST: The applicant is requesting Preliminary and Final Minor Subdivision Replat for Wedington Woods Subdivision Unit 7 Lots 701, 702, Pt 703, and Pt 704. This request is to change the lot sizes for 4 lots.

CURRENT ZONING: This project lies within the County Zoned area (Agricultural/Single-Family Residential 1 unit per acre).

PLANNING AREA: This project is not located within a Planning Area. It is located solely within the County's jurisdiction.

QUORUM COURT DISTRICT: District 7, Sam Duncan **FIRE SERVICE AREA:** Wedington Rural

SCHOOL DISTRICT: Farmington

INFRASTRUCTURE: **Water-** Washington Water Authority **Electric-** Ozarks Electric
 Natural Gas- None **Telephone-** AT&T **Cable-** Cox Communications

BACKGROUND/ PROJECT SYNOPSIS:

The applicants, James and Jessica Gibson, with representation from Atlas Surveying, are seeking Minor Subdivision/Replat approval to adjust lot lines for 4 lots in the Wedington Woods Unit 7 Subdivision.

Current lot details

Parcel Number:	Lot:	Details:
556-03284-000	701	2.19 acres* w/a residence
556-03285-000	702	1.54 acres*, vacant
556-03286-000	Part of 703	1.04 acres*, vacant
556-03287-000	Part of 704	0.35 acres*, vacant

**acres are estimated from GIS data*

Proposed lot details:

Lot:	Details:
701R	1.91 acres w/a residence
702R	1.00 acres, vacant
703R	1.11 acres, vacant
704R	1.11 acres, vacant

Please see the attached documents for more detailed information.

TECHNICAL CONCERNS:

Sewer/Septic

A soil analysis has been conducted. The applicant is currently awaiting the report from the DR.

Utilities

Electric is provided by Ozarks Electric:

1. Any relocation or extension of the existing facilities that have to be built for this subdivision will be at full cost to the developer.
2. All lot corners must be marked with lot numbers clearly written on the stakes before construction will begin.
3. There will be extra charges to the Developer when extra time and materials are used for rock trenching, boring, select material bedding, shoring, dewatering, etc.
4. Developer must provide Ozarks Electric with a Digital copy (AutoCAD) of the Final plat.
5. All Utility Easements to be cleared of all trees, brush, dirt piles, buildings and debris so that the easement is accessible with equipment. If easement is not cleared the developer may be subject to extra charges from Ozarks for clearing the easement.
6. Please contact Ozarks Electric when construction begins and again when construction is within three months of completion. Wes Mahaffey At (479)263-2167 Or wmahaffey@ozarksecc.com

Phone service is provided by AT&T. They did not submit comments or concerns.

There is no provider for gas.

Water is provided by Washington Water Authority. They did not submit comments or concerns.

Addressing

Lots that are over one-half acre in size will need to be addressed after the home location is known.

Environmental

There is no stormwater permit required by Washington County at this time; however, the applicant must comply with all rules and regulations of the Arkansas Department of Environmental Quality (ADEQ).

Road

Any work done in the County road right of way requires a permit from the road department.

Fire Marshal

1. Any New structures on the property shall not exceed 3600 square feet in size. Should you want larger structures you must submit the overall square footage to the Fire Marshal for review.
 - a. B105.1 One- and two-family dwellings. The minimum fire-flow and flow duration requirements for one- and two-family dwellings having a fire-flow calculation area that does not exceed 3,600 square feet shall be 1,000 gallons per minute for 1 hour. Fire-flow and flow duration for structures in excess of 3,600 square feet shall not be less than that specified in table B105.1.
2. The proposed project has a fire-flow that can be met by tanker support from the local Fire Department. The property shall not be split any further without an established water supply approved by the Washington County Fire Marshal.
 - a. 507.1 Required water supply. An approved water supply capable of supplying the required fire flow for fire protection shall be provided to premises upon which facilities, buildings or portions of buildings are hereafter constructed or moved into or within the jurisdiction.
 - b. 507.5.1 Where required. Where a portion of the facility or building hereafter constructed or moved into or within the jurisdiction is more than 400 feet from a hydrant on a fire apparatus access road, as measured by an approved route around the exterior of the facility or building, on-site fire hydrants and mains shall be provided where required by the fire code official.
 - i. Exceptions:
 1. For Group R-3 and Group U occupancies, the distance requirement shall be 600 feet.
 2. For buildings equipped throughout with an approved automatic sprinkler system installed in accordance with Section 903.3.1.1 or 903.3.1.2, the distance requirement shall be 600 feet.
3. The property shall not be split any further or in a way that would require an approved fire apparatus access road without approval by the Washington County Fire Marshal.
 - a. 503.1.1 Buildings and facilities. Approved fire apparatus access roads shall be provided for every facility, building or portion of a building hereafter constructed or moved into or within the jurisdiction. The fire apparatus access road shall comply with the requirements of this section and shall extend to within 150 feet of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building or facility.
 - i. Exception: The fire code official is authorized to increase the dimensions of 150 feet where:
 1. The building is equipped throughout with an approved automatic sprinkler system installed in accordance with section 903.3.1.1, 903.3.1.2 or 903.1.3
 2. Fire apparatus access roads cannot be installed because of location on property, topography, waterways, nonnegotiable grades or other similar condition, and an approved alternative means of fire protection is provided.
 3. There are not more than two Group R-3 or Group U occupancies.
4. There shall be interconnected smoke alarms that receive their primary power from the building wiring and have a secondary power source.
 - a. 907.2.11.2 Groups R-2, R-3, R-4, and I-1. Single or multiple-station smoke alarms shall be installed and maintained in groups R-2, R-3, R-4, and I-1 regardless of occupant load at all of the following locations:

- i. On the ceiling or wall outside of each separate sleeping area in the immediate vicinity of bedrooms.
 - ii. In each room used for sleeping purposes.
 1. Exception: Single or multiple station smoke alarm in group I-1 shall not be required where smoke detectors are provided in the sleeping rooms as part of an automatic smoke detection system.
 - iii. In each story within a dwelling unit, including basements but not including crawl spaces and uninhabitable attics. In dwellings or dwelling units with split levels and without an intervening door between the adjacent levels, a smoke alarm installed on the upper level shall suffice for the adjacent lower level provided that the lower level is less than on full story below the upper level.
 - iv. 907.2.11.3 Interconnection. Where more than one smoke alarm is required to be installed within an individual dwelling unit or sleeping unit in Group R or I-1 occupancies, the smoke alarms shall be interconnected in such a manner that the activation of one alarm will activate all of the alarms in the individual unit. Physical interconnection of smoke alarm shall not be required where listed wireless alarms are installed and all alarms sound upon activation of one alarm. The alarm shall be clearly audible in all bedroom over background noise levels with all intervening doors closed.
 - b. 907.2.11.4 Power source. In new construction, required smoke alarms shall receive their primary power from the building wiring where such wiring is served from a commercial source and shall be equipped with a battery backup. Smoke alarms with integral strobes that are not equipped with battery back-up shall be connected to an emergency electrical system. Smoke alarms shall emit a signal when the batteries are low. Wiring shall be permanent and without a disconnecting switch other than required for overcurrent protection.
5. New and Existing Buildings shall have approved address numbers, building numbers, or approved building identification placed in a position that is plainly legible and visible from the street or road fronting the property.
 - a. 505.1 New and Existing Buildings shall have approved address numbers, building numbers, or approved building identification placed in a position that is plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their backgrounds. Where required by the fire code official, address numbers shall be provided in additional approved locations to facilitate emergency response. Address numbers shall be Arabic numbers or alphabetical letters. Numbers shall be a minimum of 4 inches high with a minimum stroke width of 0.5 inch. Where access is by means of a private road and the building cannot be viewed from the public way, a monument, pole, or other sign or means shall be used to identify the structure. Address numbers shall be maintained.

SITE VISIT:

A site visit was conducted by planning staff on September 20, 2019. Staff has no concerns.

NEIGHBOR COMMENTS:

All neighbors within 300 feet of the boundary of this property were notified by certified mail of this proposed project.

Currently, there are no comments from neighbors.

Staff will update the Planning Board at the meeting if any comments are received.

CHECKLIST:

*Please note that if an item is marked inadequate, staff will usually recommend tabling or denial of a project.

Important Information Checklist			
	Inadequate	Acceptable	Complete
City/Planning Area Issues			N/A
Planning Issues/Engineering Issues			✓
Road Issues			✓
Fire Code Issues			✓
Utility Issues			✓
Health Department Issues			✓
Other Important Issues			
General Plat Checklist			
	Inadequate	Acceptable	Complete
General Information			✓
Existing Conditions			✓
Proposed Improvements			✓
Info to supplement plat			✓

STAFF RECOMMENDATION: Staff recommends Preliminary and Final Plat Minor Subdivision Replat approval of Wedington Woods Subdivision Unit 7, Lots 701, 702, Pt 703, Pt 704 with the following conditions:

Sewer/Septic

1. Each lot will need an Individual Onsite Septic System Permit at the time of construction approved by the Arkansas Department of Health.

Utilities

Ozarks Electric:

1. Any relocation or extension of the existing facilities that have to be built for this subdivision will be at full cost to the developer.
2. All lot corners must be marked with lot numbers clearly written on the stakes before construction will begin.
3. There will be extra charges to the Developer when extra time and materials are used for rock trenching, boring, select material bedding, shoring, dewatering, etc.
4. Developer must provide Ozarks Electric with a Digital copy (AutoCAD) of the Final plat.
5. All Utility Easements to be cleared of all trees, brush, dirt piles, buildings and debris so that the easement is accessible with equipment. If easement is not cleared the developer may be subject to extra charges from Ozarks for clearing the easement.
6. Please contact Ozarks Electric when construction begins and again when construction is within three months of completion. Wes Mahaffey At (479)263-2167 Or wmahaffey@ozarksecc.com

Washington Water Authority:

1. Please contact Washington Water Authority for future water needs/concerns.

AT&T:

1. Please contact AT&T for telephone concerns.

Addressing

1. Lots that are over one-half acre in size will need to be addressed after the home location is known.

Environmental

1. There is no stormwater permit required by Washington County at this time; however, the applicant must comply with all rules and regulations of the Arkansas Department of Environmental Quality (ADEQ).

Road

1. Any work done in the County road right of way requires a permit from the road department.

Fire Marshal

1. Any New structures on the property shall not exceed 3600 square feet in size. Should you want larger structures you must submit the overall square footage to the Fire Marshal for review.
 - a. B105.1 One- and two-family dwellings. The minimum fire-flow and flow duration requirements for one- and two-family dwellings having a fire-flow calculation area that does not exceed 3,600 square feet shall be 1,000 gallons per minute for 1 hour. Fire-flow and flow duration for structures in excess of 3,600 square feet shall not be less than that specified in table B105.1.
2. The proposed project has a fire-flow that can be met by tanker support from the local Fire Department. The property shall not be split any further without an established water supply approved by the Washington County Fire Marshal.
 - a. 507.1 Required water supply. An approved water supply capable of supplying the required fire flow for fire protection shall be provided to premises upon which facilities, buildings or portions of buildings are hereafter constructed or moved into or within the jurisdiction.
 - b. 507.5.1 Where required. Where a portion of the facility or building hereafter constructed or moved into or within the jurisdiction is more than 400 feet from a hydrant on a fire apparatus access road, as measured by an approved route around the exterior of the facility or building, on-site fire hydrants and mains shall be provided where required by the fire code official.
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 1. For Group R-3 and Group U occupancies, the distance requirement shall be 600 feet.
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3. The property shall not be split any further or in a way that would require an approved fire apparatus access road without approval by the Washington County Fire Marshal.
 - a. 503.1.1 Buildings and facilities. Approved fire apparatus access roads shall be provided for every facility, building or portion of a building hereafter constructed or moved into or within the jurisdiction. The fire apparatus access road shall comply with the requirements of this section and shall extend to within 150 feet of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building or facility.
 - i. Exception: The fire code official is authorized to increase the dimensions of 150 feet where:
 1. The building is equipped throughout with an approved automatic sprinkler system installed in accordance with section 903.3.1.1, 903.3.1.2 or 903.1.3
 2. Fire apparatus access roads cannot be installed because of location on property, topography, waterways, nonnegotiable grades or other similar condition, and an approved alternative means of fire protection is provided.
 3. There are not more than two Group R-3 or Group U occupancies.
4. There shall be interconnected smoke alarms that receive their primary power from the building wiring and have a secondary power source.
 - a. 907.2.11.2 Groups R-2, R-3, R-4, and I-1. Single or multiple-station smoke alarms shall be installed and maintained in groups R-2, R-3, R-4, and I-1 regardless of occupant load at all of the following locations:
 - i. On the ceiling or wall outside of each separate sleeping area in the immediate vicinity of bedrooms.
 - ii. In each room used for sleeping purposes.
 1. Exception: Single or multiple station smoke alarm in group I-1 shall not be required where smoke detectors are provided in the sleeping rooms as part of an automatic smoke detection system.
 - iii. In each story within a dwelling unit, including basements but not including crawl

spaces and uninhabitable attics. In dwellings or dwelling units with split levels and without an intervening door between the adjacent levels, a smoke alarm installed on the upper level shall suffice for the adjacent lower level provided that the lower level is less than on full story below the upper level.

- iv. 907.2.11.3 Interconnection. Where more than one smoke alarm is required to be installed within an individual dwelling unit or sleeping unit in Group R or I-1 occupancies, the smoke alarms shall be interconnected in such a manner that the activation of one alarm will activate all of the alarms in the individual unit. Physical interconnection of smoke alarm shall not be required where listed wireless alarms are installed and all alarms sound upon activation of one alarm. The alarm shall be clearly audible in all bedroom over background noise levels with all intervening doors closed.
 - b. 907.2.11.4 Power source. In new construction, required smoke alarms shall receive their primary power from the building wiring where such wiring is served from a commercial source and shall be equipped with a battery backup. Smoke alarms with integral strobes that are not equipped with battery back-up shall be connected to an emergency electrical system. Smoke alarms shall emit a signal when the batteries are low. Wiring shall be permanent and without a disconnecting switch other than required for overcurrent protection.
5. New and Existing Buildings shall have approved address numbers, building numbers, or approved building identification placed in a position that is plainly legible and visible from the street or road fronting the property.
- a. 505.1 New and Existing Buildings shall have approved address numbers, building numbers, or approved building identification placed in a position that is plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their backgrounds. Where required by the fire code official, address numbers shall be provided in additional approved locations to facilitate emergency response. Address numbers shall be Arabic numbers or alphabetical letters. Numbers shall be a minimum of 4 inches high with a minimum stroke width of 0.5 inch. Where access is by means of a private road and the building cannot be viewed from the public way, a monument, pole, or other sign or means shall be used to identify the structure. Address numbers shall be maintained.

Standard Conditions:

1. Pay neighbor notification mailing fees within 30 days of project approval. Any extension must be approved by the Planning Office.
2. Any work to be completed in the County Road Right-of-Way requires a permit from the Road Department prior to beginning work. Any tile that may be needed must be sized by the Road Department. The Road Department may be reached at (479) 444-1610.
3. Any further splitting or land development not considered with this approval must be reviewed by the Washington County Planning Board/Zoning Board of Adjustments.
4. Have all signature blocks signed on a minimum of 7 Final Plats - 2 for filing in the Circuit Clerk's office, 3 for the County Planning office, remainder for the developer. The Circuit Clerk is not accepting plats over 18" x 24" in size.

Washington County Senior Planner, Sita Nanthavong, presented the staff report for the Board Members.

No Public Comment

Public Comment Closed

*Joel Kelsey made a motion to approve the **Minor Subdivision Replat Lots 701, 702, 703 & part of 704 Wedington Woods** subject to staff recommendations. Neil Helm seconded. All Board members present were in favor of approving. Motion passed.*

CONDITIONAL USE PERMIT HEARINGS

Fayetteville Planning Area

b. Johnson & Smith CUP

Conditional Use Permit Request

Location: Section 25, Township 16, Range 30

Owners: Claudia Smith & Alan Johnson

Applicant: Atlas Surveying

Location Address: 2718 S Dead Horse Mountain Rd WC 55

Approximately: +/- 1.82 acres / 1 parcel Proposed Land Use: Single Family Residential

Coordinates: Latitude: 36.03296914, Longitude: -94.11738285

Project #: 2019-205

Planner: Nathan Crouch email: ncrouch@co.washington.ar.us

REQUEST: Conditional Use Permit approval to allow a lot split to produce a parcel at less than 1 acre in an area zoned to allow 1 acre minimum.

CURRENT ZONING: Project lies within the County's Zoned area (Agriculture/Single-Family Residential 1 unit per acre).

PLANNING AREA: Fayetteville Planning Area

FUTURE LAND USE: Rural Area Residential

QUORUM COURT DISTRICT: District 12, Sue Madison Mountain VFD

FIRE SERVICE AREA: Round

SCHOOL DISTRICT: Fayetteville

INFRASTRUCTURE: Water- Fayetteville
N/A Telephone- AT&T Cable- Cox

Electric- Ozarks Electric

Natural Gas-

BACKGROUND/ PROJECT SYNOPSIS:

The owners of this property are Alan Johnson & Claudia Smith. This property is located just outside Fayetteville S. Dead Horse Mountain Rd, WC-55. The applicants are requesting to split their 2.16 acre parcel into two tracts of 1.47 & 0.69 acres. The intent is to sell the 0.69 acre parcel to a family member. This split would typically qualify as a Family Split, but due to the proposed acreage (0.69 acres) being smaller than what zoning allows CUP approval is required prior to approving the split.

TECHNICAL CONCERNS:

Fire Issues:

The Washington County Fire Marshal had no comment.

Sewer/Septic:

There are two existing houses on the parent parcel, each with their own individual septic systems.

No issues were noted at the time of the site visit.

No comments were submitted by the Arkansas Department of Health.

Electric:

Through the Technical Review process Ozarks Electric provided the following comments:

1. Any damage or relocation of existing facilities will be at the owner's expense.
2. Any power line extension that has to be built to this property will be at the owner's expense. The cost will be determined after the owner makes application for electric service and the line has been designed.

3. All off site easements that are needed for Ozarks to extend electrical service to the property must be obtained by developer and easement documentation provided to Ozarks before work begins. On site easements must be shown on plat and recorded with the county.
4. Please contact Ozarks Electric if you have any questions.

Gas/Cable/Phone:

No comments were submitted.

Roads/Sight Visibility/Ingress-Egress:

This property currently uses, and will continue to use, a shared driveway on the west side of the property, taking access from S Dead Horse Mountain Rd, WC-55. The plat shows a 30 ft. access/utility easement granting access to Tract B across Tract A.

Sight Distance appears adequate in both directions.

Drainage:

The Washington County Contract Engineer has no comments on this proposed project.

Environmental:

At this time, no stormwater permit is required by Washington County; however, the applicant must comply with all rules and regulations of the Arkansas Department of Environmental Quality (ADEQ).

City of Fayetteville:

Consider limiting access to Dead Horse Mountain Road to a single, shared curb cut. This would be consistent with adopted plans and ordinances of the City of Fayetteville, promote a safe street condition, and allow for future development of Dead Horse Mountain Road to its currently-intended arterial classification.

COMPATIBILITY CONCERNS:

Surrounding Density:

The surrounding uses are single family residential and agricultural. The subject property contains two permanent residences. The property densities found in the vicinity range from 1 residential unit per 0.18 acres to purely agricultural properties of 48 acres and larger.

Staff feels that the applicant's request is compatible with the surrounding densities.

County's Land Use Plan (written document):

According to the County's Land Use Plan,

SECTION III. PHYSICAL DEVELOPMENT

A. LAND USE CONSIDERATIONS

1. RESIDENTIAL

- a. To provide for development of residential areas at appropriate densities. Staff feels that the proposed density fits the surrounding densities in the area.
- b. Update, administer and enforce subdivision regulations; and develop, adopt, and enforce zoning and related regulations and codes;
- c. Require development to be connected to utilities and utilize zoning as a means to guide the progression of development; Utilities are available and currently serving the subject property.
- d. Protect the character and integrity, and property values, of single-family, residential areas; Staff feels that the requested density is compatible with the densities found in the immediate vicinity, as well as the surrounding area.
- e. Protect residential neighborhoods from inappropriate non-residential influences through the use of regulatory controls;

- f. Ensure land use and development patterns which provide for the most efficient and effective use of available utilities and services, including fire protection; and,
- g. Maintain an adequate county road plan and standards to guide and accommodate traffic movement; to develop differing categories of roads; and to protect rights-of-ways for planned, future roads.

Future Land Use Plan

The Future Land Use designation for the subject property is "Rural Area Residential". However, due to its location inside Fayetteville's Planning Area, its adjacency to Fayetteville City Limits on 3 sides, and its proximity to the River Walk subdivision, Planning Staff feels this CUP request is compatible with Washington County's Future Land Use Plan.

NEIGHBOR COMMENTS/CONCERNS:

All neighbors within 300 feet of the boundary of this property were notified by certified mail of this proposed project.

No comments have been submitted to Planning Staff.

STAFF RECOMMENDATION: Staff recommends *approval* of the proposed Johnson & Smith Conditional Use Permit with the following conditions:

Roads/Sight Visibility/Ingress-Egress/Parking Conditions:

1. Please limit access to Dead Horse Mountain Road to a single, shared curb cut. This is consistent with adopted plans and ordinances of the City of Fayetteville, promotes a safe street condition, and allows for future development of Dead Horse Mountain Road to its currently-intended arterial classification.
2. If an additional driveway is desired in the future, driveway permitting may be required by the Washington County Road Department.

Environmental Conditions:

1. At this time, no stormwater permit is required by Washington County; however, the applicant must comply with all rules and regulations of the Arkansas Department of Environmental Quality (ADEQ).

Ozarks Electric Conditions:

1. Any damage or relocation of existing facilities will be at the owner's expense.
2. Any power line extension that has to be built to this property will be at the owner's expense. The cost will be determined after the owner makes application for electric service and the line has been designed.
3. All off site easements that are needed for Ozarks to extend electrical service to the property must be obtained by developer and easement documentation provided to Ozarks before work begins. On site easements must be shown on plat and recorded with the county.
4. Please contact Ozarks Electric if you have any questions.

Standard Conditions:

1. Pay neighbor notification mailing fees within 30 days of project approval. Fees will be calculated once all invoices are received. Any extension must be approved by the Planning Office.
2. Pay engineering fees within 30 days of project approval. Fees will be calculated once all invoices are received. Any extension must be approved by the Planning Office.
3. Any work to be completed in the County Road Right-of-Way requires a permit from the Road Department prior to beginning work. Any tile that may be needed must be sized by the Road Department. The Road Department may be reached at (479) 444-1610.
4. Any further splitting or land development not considered with this approval must be reviewed by the Washington County Planning Board/Zoning Board of Adjustments.
5. Lots that are over one-half acre in size will need to be addressed after the home location is known.
6. This CUP must be ratified by the Quorum Court.

7. All conditions shall be adhered to and completed in the appropriate time period set out by ordinance.
 - o This project does not require additional review. Therefore, all conditions of this CUP approval must be completed within 18 months of this CUP project's ratification.

Washington County Planning Director, Nathan Crouch, presented the staff report for the Board Members.

No Public Comment

Public Comment Closed

*Walter Jennings made a motion to approve the **Johnson & Smith CUP** subject to staff recommendations. Joel Kelsey seconded. All Board Members present were in favor of approving. Motion passed.*

Prairie Grove Planning Area

c. Tom's Tackle & Bait Shop CUP

Conditional Use Permit Request

Location: Section 23, Township 15, Range 32

Applicant: Tom Waller

Location Address: 11013 Bobb Kidd Lake WC 636

Approximately: +/- 2 acres / 2 parcels

Proposed Land Use: General Commercial

Coordinates: Latitude: 35.96727281, Longitude: -94.35188569

Project #: 2019-204

Planner: Sita Nanthavong email: snanthavong@co.washington.ar.us

REQUEST: Tom Waller and Matt Hutcherson are requesting **Conditional Use Permit** approval to develop and operate a tackle and bait shop in an area where agricultural and single family uses are allowed by right. Any other land use type requires conditional use permit approval and ratification.

CURRENT ZONING: Project lies within the County's Zoned area (Agriculture/Single-Family Residential 1 unit per acre)

PLANNING AREA: Prairie Grove

QUORUM COURT DISTRICT: District 13, Willie Lemming

FIRE SERVICE AREA: Prairie Grove

SCHOOL DISTRICT: Prairie Grove

INFRASTRUCTURE: **Water-** Prairie Grove
Gas- Black Hills

Electric- SWEPCO

Natural

Telephone- Prairie Grove

Cable- Cox Communications

BACKGROUND/PROJECT SYNOPSIS:

The applicants, Tom Waller and Matt Hutcherson, are seeking Conditional Use Permit approval to operate a tackle and bait shop. The zoning is for Agricultural and Single Family Residential uses with a maximum density of one (1) residential unit per acre. The project parcel is in the Prairie Grove planning area. The project parcels (001-08817-008 and 001-08817-011) are approximately 2.00 acres (more or less) in size and are both owned by Mr. Waller. The project location is on the west side of Bobb Kidd Lake Road WC 636. Bobb Kidd Lake is directly to the west side of the project parcels. The applicants propose to utilize a 12x32 portable building on the north side of the north driveway as a small shop in which to sell bait, tackle, and light refreshments (coffee, sodas, and water). Landscaping will be installed around the building. The building itself is being painted to match the main residence. The applicant has stated that they will consider privacy fencing if required by the Planning Board. The proposed project area is less than 1 acre in size, therefore a Large Scale Development request will not be needed.

Please see the attached documents for more detailed information.

TECHNICAL CONCERNS:

Utilities:

SWEPCO is the provider for this parcel. They did not submit comments/concerns.

Prairie Grove Telephone provides phone service for this area. They did not submit comments/concerns.

Prairie Grove Water provides water for this area. They did not submit comments/concerns. The applicant is not proposing to utilize water in the shop building.

Fire Issues:

The Washington County Fire Marshal had the following concerns/comments:

1. Turning radii must be 38" at the entrance.
2. Install Fire Lane/No Parking Signs.
3. 501.3 – Please submit interior plans for the shop for review.
4. B103.3 – Fire flow can be achieved by tanker support.
5. 106.2.2 – Inspection by the Fire Marshal will be required prior to the opening of the business.

Health Department Issues:

There will be no running water at the shop nor will restrooms be installed. Soil analysis was not required.

The Health Department had no concerns/comments.

Road Issues:

The Washington County Road Department had the following concerns/comments:

1. Any work in the County Right of Way will require a permit. Please contact the Road Department.
2. There is to be no parking in the Washington County right of way at any time.

Drainage:

The Washington County Contracted Engineer, Zach Moore, has reviewed this project and did not have comments/concerns.

Environmental Concerns:

1. No stormwater permit is required by Washington County at this time; however, applicant must comply with all rules and regulations of the Arkansas Department of Environmental Quality. www.adeq.state.ar.us

Signage:

1. No signage is allowed within Washington County's road right-of-way (ROW).
2. Signs are limited to 24 square feet in size with an approximate height of no more than 8 feet. The sign must not be lit from within, but can utilize "up" lighting.

Lighting:

1. All outdoor lighting must be shielded from neighboring properties, and any lighting must be indirect and not cause disturbance to drivers or neighbors. Additionally all security lighting must be shielded appropriately (see attached diagram).

Screening:

1. The applicant is proposing landscaping around the shop.
2. Privacy fencing may be required.

Sheriff's Office Concerns:

Washington County Sheriff's Office had no comments on this project.

COMPATIBILITY CONCERNS:

Surrounding Uses:

The surrounding uses are primarily residential/agricultural. The adjoining parcels to the north and south of the proposed project parcels are residential. Bobb Kidd Lake is located on the west side of the project parcel. Across the street is a 13 acre tract of vacant land. On the other side of this 13 acre tract is a

commercial entity known as CoPart. The City of Prairie Grove is roughly a tenth (0.10) of a mile away from the southern property line of the project parcel.

County's Land Use Plan (written document):

According to the County's Land Use Plan:

Section III. Physical Development

2. LIGHT COMMERCIAL

Continuing with the primary goal of retaining the rural characteristics of Washington County, light commercial uses should be allowed if:

- a. Not incompatible with adjacent residential and agricultural uses; or by conditions placed on such to mitigate its impact. Together with community facilities and compatible residential uses, this use typically serves as a buffer between general commercial and strictly residential uses. **Staff feels the requested use will be low impact.**

This proposed land use type is not considered agricultural or residential by use. However, due to the projected customer projections of perhaps ten to a twelve people a day, the impact will not be severe to the surrounding neighbors. The shop itself is small and is painted and landscaped to look like it "belongs" on the property. The position of the small building should potentially shield the neighbor to the north from any headlights that may stray their way. Customers must pass this small tackle and bait shop in order to reach the Bobb Kidd Lake fishing pier. The City of Prairie Grove is roughly a tenth of a mile away.

Site Visit:

A site visit was conducted by Planning Staff on 09/19/2019.

The site is located 0.10 miles north from the City of Prairie Grove. It resides within the City's Planning Area.

The site is located off Bobb Kidd Lake Road WC 636. Bobb Kidd Lake Road WC 636 is maintained by the Washington County Road Department.

The property is surrounded by other parcels that are primarily residential by nature. The parcels to the north and south of the project parcel are residential. The lake is to the west of the property. Across the street is a 13 acre vacant parcel. On the other side of this is CoPart.

Neighbor Comments and Concerns:

All neighbors within 300 feet of the boundary of this property were notified by certified mail of this project proposal.

Staff mailed a total of seven (8) certified notifications on September 12, 2019. To date, there have been a total of four (4) comments received. All comments were opposed to the project.

Received September 16, 2019 – Neighbor commented that they moved to the area to retire to a quiet neighborhood and feels that the project will bring extra people and traffic all hours of the day and night.

Received September 16, 2019 – Neighbor commented they are right next door to the proposed project. They do not want traffic held up by visitors to and from the property. They worry about headlights shining into their home in the early morning and in the evening. They do not want their single family oriented way of living disrupted by a business next door. They claim they will have to place a gate to close off their property from people accidentally driving onto their property.

Received September 17, 2019 – Neighbor commented that they have lived in the home for 15 years and all 2 adults and 3 kids are opposed to this project.

Received September 17, 2019 – Neighbor commented that the proposed business will cause an increase in traffic along with an increase of people in the area. They do not want to allow for more opportunity for theft, trash and debris. They are concerned about what may happen to the building should the business not be successful.

These comments from the neighbors were forwarded to the applicant. The applicant has responded to the neighbor's concerns. This letter and the neighbor comments are included in this report. Planning Staff will update the Board should any further comments be received.

STAFF RECOMMENDATION: Staff recommends approval of this project with the following condition:

Utilities Conditions:

Prairie Grove Water:

1. Any water concerns the applicant has should be directed to the Prairie Grove Water Authority.

SWEPCO:

1. Any concerns with electricity should be directed to SWEPCO.

Prairie Grove Telephone:

1. Please contact Prairie Grove Telephone should future telephone issues arise.

Fire Conditions:

The Washington County Fire Marshal:

1. Turning radii must be 38" at the entrance.
2. Install Fire Lane/No Parking Signs.
3. 501.3 – Please submit interior plans for the shop for review.
4. B103.3 – Fire flow can be achieved by tanker support.
5. 106.2.2 – Inspection by the Fire Marshal will be required prior to the opening of the business.

Health Department Conditions:

1. Please contact the Arkansas Department of Health should the applicant wish to have septic or water installed for the shop building.

Roads:

The Washington County Road Department:

1. Any work in the County Right of Way will require a permit. Please contact the Road Department.
2. There is to be no parking in the Washington County roadway or right of way at any time.

Environmental Conditions:

1. No stormwater permit is required by Washington County at this time; however, applicant must comply with all rules and regulations of the Arkansas Department of Environmental Quality. www.adeq.state.ar.us

Signage:

1. No signage is allowed within Washington County's road right-of-way (ROW).
2. The sign is limited to 24 square feet in signage with an approximate height of no more than 8 feet. The sign must not be lit from within, but can utilize "up" lighting.

Lighting:

1. All outdoor lighting must be shielded from neighboring properties, and any lighting must be indirect and not cause disturbance to drivers or neighbors. Additionally all security lighting must be shielded appropriately (see attached diagram).

Screening:

1. The applicant will install landscaping plants.
2. A privacy fence may be required by the Planning Board.

Addressing Conditions:

1. The applicant must apply for 911 addresses to be assigned if needed.

Additional and Standard Conditions:

1. Pay neighbor notification mailing fees within 30 days of project approval. Any extension must be approved by the Planning Office (fees will be calculated once the info is available from the post office). This total will be calculated for this project once all invoices are received.
2. Pay engineering any fees. This total will be calculated for this project once all invoices are received.
3. Any further splitting or land development not considered with this approval must be reviewed by the Washington County Planning Board/Zoning Board of Adjustments.
4. This CUP must be ratified by the Quorum Court.
5. It is the applicant's responsibility to contact the Planning Office when inspections are needed.
6. All conditions shall be adhered to and completed in the appropriate time period set out by ordinance.

Washington County Senior Planner, Sita Nanthavong, presented the staff report with updates for the Board Members.

Philip Humbard, Planning Board Member, inquired, "What are the hours of operation restricted to?"

Sita Nanthavong replied, "Mr. Waller is retired so they will be in the morning when he decides. It might be 6 a.m., it might be 7 a.m. My understanding is that fishing is an early morning activity or an evening activity. It would be limited to a few hours in the morning, and a few hours in the evening."

No Public Comment

Public Comment Closed

*Joel Kelsey made a motion to approve the **Tom's Tackle & Bait Shop CUP** subject to staff recommendations. Walter Jennings seconded. All present Board Members were in favor of approving. Motion passed.*

County

d. Moua CUP

Conditional Use Permit Request

Location: Section 06, Township 16, Range 33

Applicant: Thomas Moua

Location Address: 24283 N HWY 244

Approximately: +/- 40.36 acres / 1 parcel

Proposed Land Use: Public and Private Open Space

Coordinates: Latitude: 36.09406450, Longitude: -94.53235781

Project #: 2019-203

Planner: Nathan Crouch email: ncrouch@co.washington.ar.us

REQUEST: The Hmong Association, Inc., a local non-profit association, is requesting Conditional Use Permit approval for the use of a private road, gazebo, and restroom on a 40 acre tract of land they use for cultural and community events, such as the annual Hmong New Year as well as community events such as sports tournaments. *see attached letter from the applicant. In the past the Hmong Association has used this property a couple times per year for these events, and Washington County has issued Temporary CUPs. However, at this time, as Washington County no longer issues Temporary CUPs, and that the Hmong Association is proposing the construction of permanent structures, the General Conditional Use Permit is now required. As the cultural and community events aren't considered a permanent change to the land use this CUP review isn't considering the vents. Planning Staff is only reviewing the access road, gazebo, and restrooms for compliance with Washington County ordinances.

CURRENT ZONING: Project lies within the County's Zoned area (Agriculture/Single-Family Residential 1 unit per acre).

PLANNING AREA: This project is not located in a City Planning Area. It is solely within Washington County's jurisdiction.

FUTURE LAND USE: There is no Future Land Use designation at this location.

QUORUM COURT DISTRICT: District 13, Willie Leming

FIRE SERVICE AREA: Cincinnati Rural VFD
INFRASTRUCTURE: Water- Lincoln Water
Telephone- Century Tel

SCHOOL DISTRICT: Siloam Springs
Electric- Ozarks Electric Natural Gas- N/A
Cable- N/A

BACKGROUND/ PROJECT SYNOPSIS:

The owner of this property is the Hmong Association, Inc. This 40 acre property is located near Summers at the corner of N Ar. Hwy 244 and N Ar. Hwy 59, primarily taking access from Hwy 244. The Hmong Association sponsors a couple events throughout the year for the Hmong community, including the Hmong New Year celebration, cultural and community events, and sports tournaments. In the past the Washington County Planning Dept. has issued Temporary CUPs for the events. But now that the Association is proposing to build permanent structures Washington County requires CUP approval. This CUP request is to allow the Hmong Association to continue using the property for these cultural and community events, and to ensure the restrooms are in compliance with the Arkansas Dept. of Health, and the permanent structures and private road are in compliance with the state fire code. The request proposes approximately 15 acres of parking. But as the events are scheduled infrequently there will be no parking lot built; parking will be on the grass. Sight distance is adequate in all directions. There are no existing structures on the property at this time.

See the applicant's attached Letter of Explanation for more details.

TECHNICAL CONCERNS:

Water/Plumbing:

No comments were received by Lincoln Water.

The restrooms are the only bldg. to need water service.

Fire Marshal:

Through the Technical Review process the Fire Marshal has requested the applicant place "Fire Lane – No Parking" signs along the access road, and that the road be constructed such that it will support a 75,000 lb. load in all weather conditions. Additionally, if they wish to place a gate along the access road it should provide limited access for fire department only. Then the road may be constructed to 12 ft. width rather than 20 ft.

Septic:

The restrooms will utilize a septic system. The applicant has submitted the septic permit, including the septic system design and the infiltration rates.

Electric:

Ozarks Electric provided typical comments.

1. Any damage or relocation of existing facilities will be at owner's expense.
2. Any power line extension that has to be built to this property will be at the owner's expense. The cost will be determined after the owner makes application for electric service and the line has been designed.
3. All off site easements that are needed for Ozarks to extend electrical service to the property must be obtained by developer and easement documentation provided to Ozarks before work begins. On site easements must be shown on plat and recorded with the county.
4. Please contact Ozarks Electric if you have any questions.

Roads/Sight Visibility/Ingress-Egress/Parking:

This property has access points to both N Ar. Hwy 244 and N Ar. Hwy 59, with the primary access off Hwy 244. These are both Arkansas state highways, and the County Road Department does not have jurisdiction over these roads, or how properties access them.

The sight visibility from each of the access points is adequate in both directions. However, ArDOT doesn't require sight distance to be evaluated off state highways.

Drainage:

Through the Technical Review process the Washington County Contract Engineer made a few comments

regarding the maximum slopes along the private road and the ditch, as well as the sizes of the culverts under the private road. The applicant has reviewed the Engineer's comments and has agreed to make the requested changes.

The following will become conditions of approval:

1. Side slope of the private road will be 2% maximum.
2. Ditches shall have maximum slopes of 3:1.
3. Provide scour protection downstream of pipe (culvert) discharge.
4. Minimum size of 24-inches is required for the culverts.

Environmental Concerns:

At this time, no stormwater permit is required by Washington County; however, the applicant must comply with all rules and regulations of the Arkansas Department of Environmental Quality (ADEQ).

COMPATIBILITY CONCERNS:

Surrounding Uses:

The surrounding uses are single family residential and agricultural. Based on the nature of the requested use (Private Open Space), and that there are no complaints on file with the Sheriff's Dept. regarding the previous celebrations the Hmong Association have held at this location, Planning Staff feels that the applicant's request is compatible with the surrounding density.

County's Land Use Plan (written document):

The County's Land Use Plan lists the following uses:

1. Residential
2. Light Commercial
3. General Commercial
4. Industrial

As this requested land use type is low impact, will only be used intermittently, there are no land use types that fit this requested use, There is no future land use designation on the Future Land Use Map, and that there has been no opposition by the neighbors, Planning Staff considers this request to be compatible with the surrounding uses already allowed by right.

Future Land Use Plan

There are no future land use designation for this portion of the County.

SITE VISIT:

A site visit was conducted by planning staff on September 17, 2019. Please see attached pictures of road access and the character of the property.

NEIGHBOR COMMENTS/CONCERNS:

All neighbors within 300 feet of the boundary of this property were notified by certified mail of this proposed project.

No comments have been received. Staff will update the Planning Board at the meeting if any additional comments are received.

STAFF RECOMMENDATION: Staff recommends *approval* of the proposed Moua Conditional Use Permit with the following conditions:

Fire Conditions:

1. "Fire Lane – No Parking" signs are required to be placed along the private road, in accordance with Arkansas Fire Code.
2. The private access road shall be constructed such that it will support 75,000 lbs in all weather conditions.
3. The private access road shall be constructed to a width approved by the Fire Marshal, in accordance with Arkansas Fire Code. The Fire Marshal has stated the road shall be constructed to 12 ft. wide.

4. If a gate on the private access road is desired it must be placed so it will provide limited access for fire department only.

Sewer/Septic/Decentralized Sewer Conditions:

1. The septic system(s) must be approved by the Arkansas Health Department (ADH), installed, and then inspected by ADH prior to use of the restroom.
2. No parking is allowed on any portion of the septic system including the alternate area. (No overflow parking either).

Drainage Conditions:

1. Side slope of the private road will be 2% maximum.
2. Ditches shall have maximum slopes of 3:1.
3. Provide scour protection downstream of pipe (culvert) discharge.
4. Minimum size of 24-inches is required for the culverts.

Environmental Conditions:

1. At this time, no stormwater permit is required by Washington County; however, the applicant must comply with all rules and regulations of the Arkansas Department of Environmental Quality (ADEQ).

Utility Conditions:

Ozarks Electric

1. Any damage or relocation of existing facilities will be at owner's expense.
2. Any power line extension that has to be built to this property will be at the owner's expense. The cost will be determined after the owner makes application for electric service and the line has been designed.
3. All off site easements that are needed for Ozarks to extend electrical service to the property must be obtained by developer and easement documentation provided to Ozarks before work begins. On site easements must be shown on plat and recorded with the county.

Standard Conditions:

1. Pay neighbor notification mailing fees within 30 days of project approval. Mailing fees will be calculated once all invoices have been received. Any extension must be approved by the Planning Office.
2. Pay engineering fees within 30 days of project approval. Engineering fees will be calculated once all invoices have been received. Any extension must be approved by the Planning Office.
3. Any further splitting or land development not considered with this approval must be reviewed by the Washington County Planning Board/Zoning Board of Adjustments.
4. This CUP must be ratified by the Quorum Court.
5. It is the applicant's responsibility to contact the Planning Office when inspections are needed.
6. All conditions shall be adhered to and completed in the appropriate time period set out by ordinance.
 - o This project does not require additional review. Therefore, all conditions of this CUP approval must be completed within 18 months of this CUP project's ratification.

Washington County Planning Director, Nathan Crouch, presented the staff report for the Board Members.

Joel Kelsey, Planning Board Member, asked, "Nathan, is that 8-5 just on days that they have it or are they planning on being open every day?"

Nathan Crouch answered, "No sir. This is just whenever they have events. They have had one event per year for the last two years. They had been renting out event space in Springdale in order to have these events, but they have outgrown their space, and their budget for those spaces. They bought this field and plan on having their events out here. They have fashion shows, sports tournaments and small flea markets. I think the sports tournaments is the big one that they are wanting to have the initial space for. During the sports tournaments is when they will have the major influx and efflux of the parking. If they were to hire traffic control folks, whether it be from the Sheriff's Department or otherwise, I don't believe

that that would be very often from my conversation with the applicants.”

Joel Kelsey inquired, “Alright and the events that they have had so far, there haven’t been any complaints in reference to traffic, parking, or anything like that?”

Nathan Crouch replied, “No sir. The one complaint that I did have was that they could still hear the music after the sun went down and moving on towards the 10o’clock hour. I reminded the person that we don’t have quiet hours in the county. We typically like to adhere to whatever hours are recognized by the nearest town. It is out in the middle of a field. The condition I put in the report states that we would like for the applicant to go ahead and wrap it up by nightfall.”

Neil Helm, Planning Board Member, stated, “My observation in the past is that they are a significant amount of people, but they don’t have any problems. I’ve got property in that area as well.”

Nathan Crouch responded, “The neighbors repeated over and over that they had no problems with them having the events. They just wanted to make sure that their septic system wasn’t going to be leaking into their well which is right across the fence. We made a condition that they keep it back 100 ft. and that’s the Health Department regulation. Then whenever they all leave at one time after dark with the headlights it could be a little bit blinding, but that’ll be over fairly quickly.”

No Public Comment

Public Comment Closed

Walter Jennings made a motion to approve the Moua CUP subject to staff recommendations. Neil Helm seconded. All Board Members present were in favor of approving. Motion passed.

County

e. Munyon Road Wireless Facility CUP

Communication Tower Conditional Use Permit Request

Location: Section 27, Township 14, Range 33

Owner: Richard E. & Tammy M. Hale Family Trust

Applicant: Branch Communications

Location Address: 16711 W. Munyon Road

Approximately: +/- 105.53 acres /1 lot

Proposed Land Use: Communication Tower

Coordinates: Latitude: 35.86830763, Longitude: -94.47323960

Project #: 2019-136

Planner: Sita Nanthavong email: snanthavong@co.washington.ar.us

REQUEST: Branch Communications, LLC is requesting **Conditional Use Permit** approval to construct and operate a wireless communications facility in an area where agricultural and single family uses are allowed by right.

CURRENT ZONING: Project lies within the County’s Zoned area (Agriculture/Single-Family Residential 1 unit per acre)

PLANNING AREA: None

QUORUM COURT DISTRICT: District 13, Willie Lemming

FIRE SERVICE AREA: Morrow Rural

SCHOOL DISTRICT: Lincoln

INFRASTRUCTURE: **Water-** Lincoln Water
Telephone- Prairie Grove

Electric- Ozarks
Cable- None

Natural Gas- None

BACKGROUND/PROJECT SYNOPSIS:

Branch Communications, LLC is seeking Conditional Use Permit approval to construct and operate a wireless communications facility. The zoning is for Agricultural and Single Family Residential uses with a

maximum density of one (1) residential unit per acre. The project parcel is not in a planning area. The project parcel (001-05460-004) is owned by the Hale Family Trust and is approximately 105 acres (more or less) in size. The lease area for the wireless communications facility is approximately 0.129 acres (more or less). It will be 75x75 feet accessible via W Munyon WC 433. The proposed wireless communications facility will include a 190' self-supported tower with base station equipment within the 75x75 leased area. The facility will be located at 16717 W Munyon WC 433, Cane Hill, AR 72717. There is a proposed cell tower within a 1 mile distance owned by Smith Communications, LLC. The applicant states that it cannot collocate on this proposed tower because the tower is approximately ¼ mile outside of its client's (AT&T) search ring. The applicant also states that the Smith Communications tower is between a close spectrum border to the west and a ridge to the east which restricts RF coverage. The applicant is not installing any type of building that will utilize septic/sewer.

Please see the attached documents for more detailed information.

TECHNICAL CONCERNS:

Utilities:

Ozarks Electric is the provider for this parcel. These are their comments/concerns:

1. Any damage or relocation of existing facilities will be at owner's expense.
2. Any power line extension that has to be built to this property will be at the owner's expense. The cost will be determined after the owner makes application for electric service and the line has been designed.
3. All off site easements that are needed for Ozarks to extend electrical service to the property must be obtained by developer and easement documentation provided to Ozarks before work begins. On site easements must be shown on plat and recorded with the county.
4. Please contact Ozarks Electric if you have any questions. Wes Mahaffey At (479)263-2167 Or wmahaffey@ozarksecc.com

Prairie Grove Telephone provides phone service for this area. They did not have comments/concerns.

Washington Water Authority provides water for this area. They did not submit comments/concerns.

Fire Issues:

The Washington County Fire Marshal had the following concerns/comments:

1. Knox Padlock Keyed to Morrow Fire Department. IFC 506.1
2. 75,000 lbs compaction statement needed from engineer. IFC D102.1, 104.7.2
3. Clearly label shutoff for all electrical and the generator shut off for responding fire personal.
4. Turning radius must be 38'.
5. Road width must be 20'.

Health Department Issues:

There will be no running water at the location nor will restrooms be installed. Soil analysis was not required.

The Health Department had no concerns/comments.

Road Issues:

The Washington County Road Department had the following concerns/comments:

1. Any work in the County Right of Way will require a permit. Please contact the Road Department.
2. There is to be no parking in the Washington County right of way at any time.

Drainage:

The Washington County Contracted Engineer, Zach Moore, has reviewed this project and is still working with the applicant on ensuring storm water drainage is adequate.

Environmental Concerns:

1. No stormwater permit is required by Washington County at this time; however, applicant must comply with all rules and regulations of the Arkansas Department of Environmental Quality. www.adeq.state.ar.us

Signage:

1. No signage is allowed within Washington County's road right-of-way (ROW).
2. Signs are limited to 24 square feet in size with an approximate height of no more than 8 feet. The sign must not be lit from within, but can utilize "up" lighting.

Lighting:

1. All outdoor lighting must be shielded from neighboring properties, and any lighting must be indirect and not cause disturbance to drivers or neighbors. Additionally all security lighting must be shielded appropriately (see attached diagram).

Screening:

1. The applicant must utilize an opaque screening method.

Sheriff's Office Concerns:

Washington County Sheriff's Office had no comments on this project.

COMPATIBILITY CONCERNS:

Surrounding Uses:

The surrounding uses are primarily residential/agricultural.

County's Land Use Plan (written document):

According to the County's Land Use Plan:

Section III. Physical Development

2. LIGHT COMMERCIAL

Continuing with the primary goal of retaining the rural characteristics of Washington County, light commercial uses should be allowed if:

- b. Not incompatible with adjacent residential and agricultural uses; or by conditions placed on such to mitigate its impact. Together with community facilities and compatible residential uses, this use typically serves as a buffer between general commercial and strictly residential uses. **Staff feels the requested use will be low impact.**

Staff feels that with the proposed conditions this project meets the goal of the County's Land Use Plan. A wireless communications facility with sufficient visual mitigation such as opaque fencing or vegetation will assist with the visual impact of the project. The location of the tower is next to the property owner's residence/farm. It is in a relatively remote location. The surrounding properties are either owned by the Hales or their family members.

Site Visit:

A site visit was conducted by Planning Staff on 09/19/2019.

The proposed lease area is in a very remote location surrounded by farmland and vegetation.

Neighbor Comments and Concerns:

All neighbors within 300 feet of the boundary of this property were notified by certified mail of this project proposal. Staff mailed a total of five (5) certified notifications on September 12, 2019. To date, there have not been any comments voicing favor or opposition to the project. Planning Staff will update the Board should any further comments be received.

STAFF RECOMMENDATION: Staff recommends approval of this project with the following conditions:

Utilities Conditions:

Lincoln Water Authority:

1. Any water concerns the applicant has should be directed to the Lincoln Water Authority.

Ozarks Electric:

1. Any damage or relocation of existing facilities will be at owner's expense.

2. Any power line extension that has to be built to this property will be at the owner's expense. The cost will be determined after the owner makes application for electric service and the line has been designed.
3. All off site easements that are needed for Ozarks to extend electrical service to the property must be obtained by developer and easement documentation provided to Ozarks before work begins. On site easements must be shown on plat and recorded with the county.
4. Please contact Ozarks Electric if you have any questions. Wes Mahaffey At (479)263-2167 Or wmahaffey@ozarksecc.com

Prairie Grove Telephone:

1. Please contact Prairie Grove Telephone should future telephone issues arise.

Fire Conditions:

The Washington County Fire Marshal:

1. Knox Padlock Keyed to Morrow Fire Department. IFC 506.1
2. 75,000 lbs compaction statement needed from engineer. IFC D102.1, 104.7.2
3. Clearly label shutoff for all electrical and the generator shut off for responding fire personal.
4. Turning radius must be 38'.
5. Road width must be 20'.

Health Department Conditions:

1. Please contact the Arkansas Department of Health should the applicant wish to have septic.

Roads:

The Washington County Road Department:

1. Any work in the County Right of Way will require a permit. Please contact the Road Department.
2. There is to be no parking in the Washington County roadway or right of way at any time.

Environmental Conditions:

1. No stormwater permit is required by Washington County at this time; however, applicant must comply with all rules and regulations of the Arkansas Department of Environmental Quality. www.adeq.state.ar.us

Signage:

1. All proper signs must be visible on the fence.

Lighting:

1. All outdoor lighting must be shielded from neighboring properties, and any lighting must be indirect and not cause disturbance to drivers or neighbors. Additionally all security lighting must be shielded appropriately (see attached diagram).

Screening:

1. Please utilize an opaque screening method or plant vegetation.

Addressing Conditions:

1. The applicant must apply for 911 addresses to be assigned if needed.

Planning Conditions:

1. Any further expansion or other use not described here must come before the Planning Office and/or the Planning Board.

Additional and Standard Conditions:

1. Pay neighbor notification mailing fees within 30 days of project approval. Any extension must be approved by the Planning Office (fees will be calculated once the info is available from the post office). This total will be calculated for this project once all invoices are received.
2. Pay engineering any fees. This total will be calculated for this project once all invoices are received.
3. Any further splitting or land development not considered with this approval must be reviewed by the Washington County Planning Board/Zoning Board of Adjustments.

4. This CUP must be ratified by the Quorum Court.
5. It is the applicant's responsibility to contact the Planning Office when inspections are needed.
6. All conditions shall be adhered to and completed in the appropriate time period set out by ordinance.

Washington County Senior Planner, Sita Nanthavong, presented the staff report for the Board Members.

Public Comment

Charlene Fite, State Representative for District 80, addressed the Board, "I have received a number of emails and personal contacts through the years with people saying that their main problem in this area is that they don't have cell phone coverage. They see it as a safety hazard. When they need to call 9-1-1. When they need help, they can't get any. They say that they believe that more people would be attracted to live in this area if they could get cell phone coverage and it would just add to their quality of life. I would very much like to see this approved. Thank you."

Josh McConnell, Resident of the project area, addressed the Board, "I work with the Sheriff's Department. We are on the Firstnet System. Our cell phone coverage down there is not very good. I agree with the lady that just spoke that the cell phone coverage would help the Sheriff's Department and would also help with my cellphone service out there as well. I would like to see it approved."

Public Comment Closed

*Joel Kelsey made a motion to approve the **Munyon Road Wireless Facility CUP** subject to staff recommendations. Walter Jennings seconded. All Board Members present were in favor of approving. Motion passed.*

5. Other Business

- Discussion of Current Development and Planning Department activities
- Reminder of upcoming regular Planning Board Meetings:
 - November 7, 2019
 - December 12, 2019

6. Old Business

7. Adjourn

Walter Jennings moved to adjourn. Joel Kelsey seconded. All Board members were in favor of approving. Motion passed.

Planning Board adjourned.

Minutes submitted by: Juliana Mendoza

Approved by the Planning Board on:

_____ Date: _____
Randy Laney, Planning Board Chairman