

# Washington County, Arkansas Conditional Use Permit (CUP)

## Submittal Information

The following items must be turned in to the Planning Office by **2:00pm** on the submittal date for your CUP in order to be reviewed by the Planning Board. **Please see the submittal deadlines schedule.**

Incomplete submittals will not be included on the Planning Board agenda.

Please submit all items digitally via email. Email to [planning@washingtoncountyar.gov](mailto:planning@washingtoncountyar.gov)

If you are unable to email or have questions, please contact the Planning Department at 479-444-1724

### SUBMITTAL CHECKLIST ITEMS

- 1) CUP Application (see attached).
- 2) CUP Review Fee (\$300, check or exact cash).
- 3) Detailed site Plan based on deed or survey showing all proposed structures and any other site improvements proposed with this project (parking areas, driveways, interior roads, septic areas, water taps, wells, outdoor storage areas, fencing, signage, etc.)
- 4) Submit Traffic Statement or Traffic Study (impact development is expected to have based on increase in vehicle traffic). A full Traffic Study may be required.
- 5) Submit a Drainage Statement explaining the expected impact. A full Drainage Report may be required if requested by the County Engineer or if the CUP is in conjunction with a Large Scale Development (LSD) project.
- 6) Soil work performed by a Designated Representative of the Health Department.
- 7) Full description of the request / letter of explanation (please see cheat sheet on page 8).

**IMPORTANT:** The CUP application is considered complete when all the required documents in the above checklist have been submitted. Except for payment, all materials must be submitted and postmarked by the appropriate deadline for consideration (electronic submissions accepted), please check attached schedule for submittal dates.

To prevent any processing delays, application materials received after the intended deadline will be added to the project packet, however, planning staff cannot guarantee the CUP request will be considered for review during the desired planning cycle.

**\*\*\*If the property is in a FEMA identified Special Flood Hazard Area (SFHA), a floodplain permit is required. Please contact the planning staff for details\*\*\***

### **ADH updates regarding On-site Wastewater rule changes (as of 11/15/2024).**

If a septic system services more than 20 persons a day, then they also need a Class V injection well Subsurface Disposal Permit from DEQ. Subsurface dispersal of domestic wastewater only serving fewer than 20 persons a day, requires approval from ADH (no permit required from DEQ). Subsurface dispersal of domestic wastewater serving 20 persons a day or more, requires a permit from DEQ and approval from ADH.

## GENERAL INFORMATION

### What is a conditional use?

A conditional use is a land use that may be permitted in a particular zoning area only after approval is granted by the Planning Board and the Quorum Court in accordance with the standards and criteria set by the zoning ordinance. Conditional uses are custom tailored to a specific location.

### What are “conditions” of approval?

If the CUP is approved, it may contain conditions affecting the proposed use and/or development. The Planning Staff recommends conditions to the Planning Board for mitigation or improvement of the individual circumstances to ensure compatibility of the use with the existing surrounding land uses.

### Please keep in mind that:

- It is recommended that the applicant, property owner and/or representative attend the meeting(s) and be prepared to answer questions or present any supporting information for the CUP request.
- The developer/applicant requesting conditional use shall send a certified letter to all adjoining property owners within the Notification Area of three hundred (300) feet of the exterior boundary of the property at least fourteen (14) days prior to the scheduled meeting of the Planning Board. In case of industrial and High-Intensity CUP, notifications will be sent to neighbors within 2,640 feet (1/2 mile radius) at least fourteen (14) days prior to the scheduled Planning Board meeting. Contact the Planning Office for details.
- The developer/applicant will be responsible for all certified letter mailing fees and engineering fees associated with the CUP project.
- All CUPs must be ratified by the Quorum Court if they are approved by the Planning Board/Zoning Board of Adjustment. This ratification usually takes place at the next regularly scheduled Quorum Court meeting (the third Thursday of each month, unless otherwise scheduled).
- Any applicant or member of the public may appeal the approval or denial of a CUP within 30 days of the decision of the Planning Board. Contact the Planning Office for appeal forms and additional details.
- Certain properties may be subject to private covenants or deed restrictions. Washington County cannot regulate or enforce covenants or deed restrictions. It is the responsibility of each individual property owner to be aware of and comply with any applicable covenants or deed restrictions. The applicable HOA/POA or other private parties may have the authority to take legal action as a result of a violation of these private covenants or deed restriction.

**Applicant Signature:**

**Date:**

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**Below (Washington County Plannign and Zoning Ordinance No. 2025-044) is the criterion set out by the Zoning Ordinance for the allowance of Conditional Uses.**

### Criteria for Allowance of Conditional Uses:

- (1) **The Board shall hear and decide requests for a conditional use and may authorize such if it finds:**
  - a. That a written application has been filed with the Planning Office and the appropriate fee has been paid.**
  - b. That the applicant has provided proof that each property owner as set out in Section 5(N) has been notified by return receipt mail.**
  - c. That adequate utilities, roads, drainage and other public services are available and adequate or will be made available and adequate if the use is granted.**
  - d. That the proposed use is compatible with the surrounding area.**
  - e. That the establishment, maintenance, or operation of the conditional use will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare.**
  - f. That the Conditional Use will not be injurious to the use and enjoyment of other property in the surrounding area for the purposes already permitted, nor substantially diminish and impair property values within the surrounding area.**
  - g. That the establishment of the conditional use will not impede the normal and orderly development and improvement of the surrounding area for uses permitted in the zone.**

If it is determined that there exist conditions that could be imposed by the Board that would significantly lessen the impact of the aforesated, then the Board has the power to impose said conditions which shall be specifically set forth.

## Conditional Use Permit Application

### PROJECT INFORMATION

Submittal Date:

Project Name:

Project Summary: (Please use additional sheets of paper as needed)

Project Summary: (Please use additional sheets of paper as needed)

### APPLICANT INFORMATION

Applicant Name or Project Manager:

Email:

Phone:

The following statements and answers herein made and all data, information, and evidence herewith submitted are, to the best of my knowledge and belief, true and correct. I understand that submittal of incorrect or false information is grounds for invalidation of this application. I understand that the County might not approve what I am applying for, or might set conditions on approval.

Applicant Signature:

Date:

### PROPERTY OWNER INFORMATION

Property Owner:

Mailing Address:

Email:

Phone:

I certify under penalty of perjury that I am the owner of the property that is the subject of this application (If more than one property owner, each owner must sign the declaration). Please use additional sheets of paper as needed)

Property owner/Representative:

Date:

## Conditional Use Permit Application

### PARCEL INFORMATION

Parcel Number(s):

Total Parcel(s) Acreage:

Total Acreage Used for Project:

Site/Location Address:

Current Zoning:

Existing condition of parcel: (Please describe what condition the parcel is in as of today)

Soil analysis test completed?

Completed: \_\_\_\_\_  
Date/DR Name

Scheduled: \_\_\_\_\_  
Date/DR Name

### ADDITIONAL PROJECT INFORMATION

**If Commercial, please answer the following (Large scale development -LSD- permit might be required):**

What are the days/hours of operation?

Number of employees:

Will this require new construction?

If yes, how many buildings and sizes?

Will there be outdoor music?

If yes, will it be amplified?

Will there be outdoor lighting?

If yes, please describe:

Will you install fencing or other screening?

If yes, please describe:

Will there be deliveries made to the property?

If yes, please describe:

Will there be signage?

If yes, please describe:

Will there be customers visiting the business?

If yes, please describe:

Will you construct in phases? If so, please detail the construction/phasing schedule:

**If Residential, please answer the following (Variance or Replat permits might be required):**

Is the parcel in a platted subdivision?

Reason for additional residential unit (if applicable):

Reason for split (if applicable):

Do you have a recent soil analysis or is there one scheduled?

Is the use for a multi-family residence (duplex, triplex,..etc.)?

## **Conditional Use Permit Application**

### **COMPATIBILITY**

#### **Findings of Fact**

The Board shall hear and decide requests for conditional use permits and may take the factors listed below in making its recommendation to the Quorum Court. As the applicant, you must demonstrate why the proposed conditional use is appropriate. The burden of proof of the conditional use rests with the applicant.

Please address each question below as thoroughly as you can. Attach additional sheets of paper as needed.

If you believe the question does not pertain to your proposal, please indicate "N/A or Not Applicable" and explain why it does not apply.

1. Describe how the proposed use is compatible with the surrounding area.
2. Describe how the establishment, maintenance, or operation of the conditional use will not be detrimental to, or endanger the public health, safety, morals, comfort, or general welfare.
3. Describe how the conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor diminish and impair property values within the neighborhood.
4. Describe how the establishment of the conditional use will not impede the normal and orderly development and improvement of the surrounding properties for uses permitted in the zone.
5. Describe how the proposed conditional use, in all other respects, will conform to the applicable regulations (i.e., parking, landscaping, setbacks, lot coverage, and lot area) of the zone in which it is proposed to be located.

# Conditional Use Permits

\*See submittal schedule for important dates to be aware of\*

Search parcel number or property address

It is recommended to discuss issues, use, and concept plans with planning staff before application submittal

Submit CUP Application

Send certified letters to potentially impacted neighbors (letters and addresses provided by Planning Department) 14 days prior to planning board meeting

Resubmit application with corrections based on technical comments

Application is sent to proper utilities and authorities for technical review. Comments made are sent to applicant.

Review Fee	Site Plan with all proposed structures/improvements
Traffic Statement	Drainage Statement
Soil/ Perc Test	Description of request/ letter of explanation

Items to submit with application

Project proceeds to next scheduled Planning Board meeting (open to public) for final reviews and approval or denial

Once approved, project proceeds to next scheduled Quorum Court meeting for ratification

After CUP is ratified, the Planning Staff can direct applicant towards the next step required for the project, if any.

## Authorization of Representation

This document is to be submitted to the Washington County Planning Department and Rural Development via [planning@washingtoncountyar.gov](mailto:planning@washingtoncountyar.gov)

### **TO THE PLANNING OFFICE OF WASHINGTON COUNTY, AR**

I, \_\_\_\_\_ hereby authorize  
(Printed name of property owner/applicant)

\_\_\_\_\_ to represent me and/or my  
(Authorized Representative)

organization and to make decisions on my behalf pertaining to the following project(s):

\_\_\_\_\_  
(Project Name/Number)

\_\_\_\_\_  
(Project Name/Number)

\_\_\_\_\_  
(Project Name/Number)

\_\_\_\_\_  
(Project Name/Number)

which is/are to be presented to the Washington County Planning Board/ZBA at their meeting to be held on \_\_\_\_\_.  
(Meeting date)

\_\_\_\_\_  
(Printed name of property owner/applicant)      \_\_\_\_\_  
(Signature of property owner/applicant)      \_\_\_\_\_  
(Date)

\_\_\_\_\_  
(Printed name of property owner/applicant)      \_\_\_\_\_  
(Signature of property owner/applicant)      \_\_\_\_\_  
(Date)

## **Letter of Explanation- what is the current condition, and what changes are to be made?**

Please attempt to address each item as it applies to your proposal.

1. In general, what are you doing?  
What is the business, # of employees, hours of operation, after hours (?), what is the overall acreage the business will occupy (including parking and driveway)?
2. Will there be a sign & where will it be (signs 36 sqft maximum and no taller than 8 feet)
3. Water/plumbing
4. Fire
5. Sewer/septic/restroom
6. Electric
7. Gas
8. Roads- which road does the property take access from? What is the length/ width/surface type of the driveway?
9. Sight distance- how far can you see in each direction from the driveway?
10. Parking- how large & how many vehicles, how many spaces, handicapped spaces?
11. Surrounding uses- are the nearby properties mostly residential/agricultural? Are there other businesses in the vicinity?
12. Hours of operation
13. Noise
14. Trash
15. Employees
16. Compatibility with neighbors
17. Project phasing/Stages description (if applicable)

**Statement of Compatibility-** Discuss what measures you will take to make this proposed use compatible with the neighborhood and their existing usage being exercised by right.

\*How will you make this development compatible with the Criteria for Allowance of Conditional Uses? Items 1-5 on the CUP application, page #5.

**Drainage Statement-** List the existing structures and parking with approximate square footages (or dimensions), and what type of surface the parking has (gravel, concrete/asphalt, grass/dirt). List any proposed additions (structures/parking/vehicles) with square footages (or dimensions). Then state whether you anticipate the existing stormwater flow will increase in volume or speed in the area where it leaves your property.

**Traffic Statement-** How many employees do you have? How many deliveries do you have in a typical day? How many customers do you have per day? Then state whether you anticipate the traffic coming to the business will impact the existing traffic volume negatively, or not at all.

## Washington County Health Department

3270 Wimberly. Fayetteville, AR 72703

Telephone: (479) 521-8181 ext. 2. - Fax: (479) 973-8483

The individuals listed below are certified by the Arkansas Department of Health to conduct soil work (perc test) and design individual sewage disposal systems within the NWA region.

*The below list was generated from the AR Department of Health website on 05/10/2024 - SA  
For the most current information please access their website at*

<https://onsitewastewater.adh.arkansas.gov>

Licensee Name	License Type Description	City	Phone Number
AIDEN CASTLEBERRY	Designated Representative Permit	Prairie Grove	870-794-6029
ALISON WEST	Designated Representative Permit	Rogers	479-409-8444
BILL PLATZ	Designated Representative Permit	Rogers	479-619-7989
BOBBI BUCHANAN	Designated Representative Permit	Bentonville	479-855-6314
BODIE DRAKE	Designated Representative Permit	Springdale	501-291-2515
CHRISTY SMITH	Designated Representative Permit	Green Forest	870-577-0587
DANIEL SMITH	Designated Representative Permit	Fayetteville	540-335-4517
DENNIS BIRGE	Designated Representative Permit	Bentonville	479-409-3958
EDWARD MOORE	Advanced Septic Installer License	Prairie Grove	479-824-2272
ELIZABETH ANDREWS	Designated Representative Permit	Bella Vista	479-531-6007
GLEN LAURENT	Designated Representative Permit	Goshen	479-601-3844
JAMES RICHARDSON	Designated Representative Permit	Springdale	479-841-6305
JEFFREY TYLER	Designated Representative Permit	Alma	479-629-4131
JOHNNY WILES	Designated Representative Permit	Fayetteville	479-595-1108
JONATHAN CHICK	Designated Representative Permit	Farmington	479-200-6485
JOSHUA BOYD	Advanced Septic Installer License	West Fork	479-841-2121
KENNETH COLLINS	Designated Representative Permit	Berryville	479-253-3142
LINDA MAYO	Designated Representative Permit	West Fork	479-466-6117
MARISSA DREW	Designated Representative Permit	Garfield	479-340-7265
MARK CORBITT	Designated Representative Permit	Lowell	479-466-6183
MATTHEW BODSON	Designated Representative Permit	Van Buren	870-577-3767
MICHAEL FLETCHER	Designated Representative Permit	Grove, OK	918-786-9482
MICHAEL HOLDER	Designated Representative Permit	Van Buren	479-216-2104
PIPER SATTERFIELD	Designated Representative Permit	Bentonville	479-271-0058
RACHEL ARTHUR	Designated Representative Permit	Rogers	479-352-7645
RANDALL WIGGINS	Designated Representative Permit	Fayetteville	479-422-2094
REBA BAILEY	Designated Representative Permit	Springdale	479-530-2548
REBECCA CORBITT	Designated Representative Permit	Lowell	479-466-6183
RICK HUDSON	Designated Representative Permit	Bella Vista	479-224-1513
ROSS WILMOTH	Designated Representative Permit	Gentry	479-957-6867
RUSSELL MOORE	Advanced Septic Installer License	Prairie Grove	479-824-2272
RYAN MOORE	Advanced Septic Installer License	Prairie Grove	870-794-6029
SAM DUNN	Designated Representative Permit	Mulberry	479-997-5277
TIM ACORD	Designated Representative Permit	Rogers	479-685-7179
WAYNE EAGLESON	Designated Representative Permit	Gravette	479-412-0750
WILL JONES	Designated Representative Permit	Huntsville	479-790-2784
ZETH MARTIN	Designated Representative Permit	Huntsville	479-445-0061

Questions? Contact the  
Planning Department

2615 S. Brink Drive. Fayetteville, AR 72701  
Phone (479) 444-1724. Fax (479) 973-1786.

[planning@washingtoncountyar.gov](mailto:planning@washingtoncountyar.gov) - <https://www.washingtoncountyar.gov/>

# 2026



## Washington County Planning Board and Zoning Board of Adjustment Meeting Schedule, Submittal Schedule, and Technical Review Dates

Submittal Date	Tech. Review	Resubmittal	Neighbor Notifications	Planning Board & ZBA Meeting Date	Quorum Court Meeting Date
2:00 P.M. Deadline	10:00 A.M. Deadline (Unless otherwise posted)	Address tech. review comments 2:00 P.M. deadline	2:00 P.M. Deadline	Thursdays, 5:00 P.M. (Unless otherwise posted)	Thursdays, 6:00 P.M. (Unless otherwise posted)
December 5, 2025	December 16, 2025	December 23, 2025	December 23, 2025	January 8, 2026	February 19, 2026
January 9, 2026	January 20, 2026	January 27, 2026	January 29, 2026	February 12, 2026	March 19, 2026
February 13, 2026	February 24, 2026	March 3, 2026	March 5, 2026	March 26, 2026	April 16, 2026
March 27, 2026	April 7, 2026	April 14, 2026	April 16, 2026	April 30, 2026	May 21, 2026
May 1, 2026	May 12, 2026	May 19, 2026	May 21, 2026	June 4, 2026	July 9, 2026
June 5, 2026	June 16, 2026	June 23, 2026	June 25, 2026	July 9, 2026	August 20, 2026
July 10, 2026	July 21, 2026	July 28, 2026	July 30, 2026	August 13, 2026	September 17, 2026
August 14, 2026	August 25, 2026	September 1, 2026	September 3, 2026	September 24, 2026	October 15, 2026
September 25, 2026	October 6, 2026	October 13, 2026	October 15, 2026	October 29, 2026	November 19, 2026
October 30, 2026	November 10, 2026	November 17, 2026	November 19, 2026	December 3, 2026	December 17, 2026
December 4, 2026	December 15, 2026	December 22, 2026	December 23, 2026	January 7, 2027	January 21, 2027
January 8, 2027	January 20, 2027	January 26, 2027	January 28, 2027	February 11, 2027	February 18, 2027
February 12, 2027	February 23, 2027	March 2, 2027	March 4, 2027	March 25, 2027	April 15, 2027

Conditional Use Permits, Variances, Subdivision Plats, and Large Scale Development Plans to be placed on the Planning Board & Zoning Board of Adjustment meeting agenda must be turned into the Planning Office by 2:00 p.m. on the submittal date shown on the schedule. All items required must be included with your submittal (this includes soil work, drainage reports, traffic reports/studies, fire flow etc. - when required). Please consult the project's checklist to ensure that you have all items required for submittal or your project will not be placed on the agenda. Planning staff will provide neighbor notification letter/address list that needs to be sent out by applicant.

If approved by the Planning Board, Conditional Use Permits must be ratified by the Quorum Court. This ratification usually takes place at the next regularly scheduled Quorum Court meeting. Any applicant or member of the public may appeal the approval or denial of a CUP within thirty (30) days of the Planning Board's decision. Contact the Planning Office for appeal forms and additional details.