



CITY OF  
**FAYETTEVILLE**  
**ARKANSAS**

*113 W. Mountain St.  
Fayetteville, AR 72701*

**Board of Adjustment Agenda**

**City Hall Room 219  
Monday, April 6, 2026  
3:45 PM**

**Members**

***Chair Erin Adkins-Oury (Exp. 03/27)  
Vice Chair Jason Young (Exp. 03/28)  
Sam Ata (Exp. 03/27)  
Caroline Fox (Exp. 03/27)  
Peter Norman (Exp. 03/28)***

**City Staff**

***Planning Director Jessie Masters  
Assistant City Attorney Hannah Hungate***

## Zoom Information

**Webinar ID:** 835 4413 2330

**Registration Link:** [https://fayetteville-ar.zoom.us/webinar/register/WN\\_UgQunFsdRUGqCw1ZCt5iJg](https://fayetteville-ar.zoom.us/webinar/register/WN_UgQunFsdRUGqCw1ZCt5iJg)

## Call to Order

## Roll Call

### **BOARD MEMBER CHAIR SELECTION:**

Nominate and elect Chair/Vice Chair for Board of Adjustment.

### **MINUTES:**

Approval of the minutes from the March 2, 2026 meeting.

## Unfinished Business

## New Business

- 3. BOA-2026-0002: Board of Adjustment (3660 S. SCHOOL AVE/HANNA'S CANDLE COMPANY, 756):**  
Submitted by JESSE BUCHANAN for property located at 3660 S. SCHOOL AVE. The property is zoned I-1, HEAVY COMMERCIAL AND LIGHT INDUSTRIAL and contains approximately 15.0 acres. The request is an appeal of staff's determination of a proposed use.

Planner: Jessica Masters

## Announcements

## Adjournment

### **NOTICE TO MEMBERS OF THE AUDIENCE**

*All interested parties may appear and be heard at the public hearings. A copy of the proposed amendments and other pertinent data are open and available for inspection in the office of City Planning (479-575-8267), 125 West Mountain Street, Fayetteville, Arkansas. All interested*

*parties are invited to review the petitions.*

*Interpreters or TDD (Telecommunication Device for the Deaf) are available for all public hearings; a 72-hour notice is required. For further information or to request an interpreter, please call 479-575-8330.*

*As a courtesy, please turn off all cell phones and pagers.*

**Board of Adjustment - Monday, March 2, 2026**

<b>Time:</b>	<b>In: 3:45 PM</b>	<b>Out: 4:14 PM</b>				
<b>Staff :</b>						
			<input checked="" type="checkbox"/>	Jessie Masters, Planning Director		
			<input type="checkbox"/>	Donna Wonsower, Senior Planner		
			<input type="checkbox"/>	Wesley Frank, Planner		
			<input type="checkbox"/>	Citlali Samano, Planner		
			<input type="checkbox"/>	Blake Pennington, Sr Assistant City Attorney		
			<input checked="" type="checkbox"/>	Hannah Hungate, Assistant City Attorney		
	<b>Roll Call</b>	<b>Meeting Minutes 11-03-2025</b>	<b>2) BOA-2026-0001 (SEVEN BREW)</b>			
<b>Young</b>	<b>1</b>	<b>1</b>	<b>1</b>			
<b>Norman</b>	<b>0</b>					
<b>Fox</b>	<b>1</b>	<b>1</b>	<b>1</b>			
<b>Adkins-Oury</b>	<b>1</b>	<b>1</b>	<b>1</b>			
<b>Agenda</b>		Consent	New			
<b>Motion To:</b>		Approve	Approve			
<b>Motion By:</b>		Young	Adkin-Oury			
<b>Seconded:</b>		Fox	Young			
<b>Vote</b>		3-0-0	3-0-0			
<b>Notes</b>						
<b>Public Comment:</b>		0	0			



**TO:** Board of Adjustment

**FROM:** Jessie Masters, Planning Director

**MEETING DATE:** April 6, 2026

**SUBJECT:** **BOA-2026-0002: Board of Adjustment (3660 S. SCHOOL AVE/HANNA’S CANDLE COMPANY, 756):** Submitted by JESSE BUCHANAN for property located at 3660 S. SCHOOL AVE. The property is zoned I-1, HEAVY COMMERCIAL AND LIGHT INDUSTRIAL and contains approximately 15.0 acres. The request is an appeal of staff’s determination of a proposed use.

**RECOMMENDATION:**  
Staff recommends denial of **BOA-2026-0002**, upholding staff’s determination of use classification.

**RECOMMENDED MOTION:**  
“I move to approve **BOA-2026-0002**.”

**BACKGROUND:**  
The subject property is in south Fayetteville on S. School Avenue, just north of Drake Field, the City of Fayetteville’s airport. Containing two parcels with approximately 15.0 acres, the property is zoned I-1, Heavy Commercial and Light Industrial, and is currently developed with a light industrial building that County records indicate was constructed in the mid-1950s. The structure has historically been used for manufacturing purposes, specifically Use Unit 22 per the Unified Development Code, dating back to the operation of an electrical components manufacturer and distribution center (Cooper Power System) which opened in 1954. Following closure in 2016, it appears that Hannah’s Candle, a candle manufacturing company applied for but, failing to receive a final Fire Marshal inspection, was never issued a City business license at this location. Another electronic manufacturing company, Keytronics, was issued a business license at that location in 2018. Following the business’ relocation to Springdale, the license was officially revoked in 2026. Hannah’s Candle Company is still listed as the property owner of record. Surrounding land uses and zoning are depicted in *Table 1*.

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

Direction	Land Use	Zoning
North	State of Arkansas (National Guard)	I-1, Heavy Commercial and Light Industrial
South	Undeveloped/Airport	I-1, Heavy Commercial and Light Industrial
East	Rural/Undeveloped/Industrial	R-A, Residential Agricultural; I-1, Heavy Commercial and Light Industrial
West	Industrial	I-1, Heavy Commercial and Light Industrial

**DISCUSSION:**  
*Request:* In December 2025, a new tenant at the subject property, Swarm Aero, applied for a commercial business license as an “aerospace research and development” organization for drone manufacturing. City planning staff performed a standard zoning compliance check and found the

most appropriate use to apply to the application was for Use Unit 22, Manufacturing. A member of the public with support from a City Councilperson is appealing staff's determination of use, contesting that the applicant's on-site activities will exceed those typically found under that classification, and would be more akin to a facility that handles explosives or creates excessive nuisance affects on the surroundings.

*Public Comment:* Staff has received public opposition to the issuance of the business license, with comment contesting that the business operations fall under the provided use classification. Written comment received by City staff is attached to this report.

**RECOMMENDATION:** Staff recommends denial of **BOA-2026-0002**, upholding staff's determination of the use classification.

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<b>BOARD OF ADJUSTMENT ACTION:</b>	<b>Approved</b>	<b>Denied</b>	<b>Tabled</b>
<b>Date:</b> <u>April 6, 2026</u>			
<b>Motion:</b>			
<b>Second:</b>			
<b>Vote:</b>			

*City Plan 2040 Future Land Use Designation:* **Industrial**

**FINDINGS:**

As outlined in 162.02(B), when a use is not specifically classified in the City's use schedule, it is the responsibility of the Zoning and Development Administrator to determine the appropriate designation. Code does not recognize drone manufacturing as an independent use, so staff evaluated the application materials submitted by the business to make a determination.

Business license applications take the form of a multi-step review process. City Planning, the City's Fire Marshal, and, if necessary, the Accounting Division for businesses remitting HMR tax, review business licenses according to relevant codes. For each business license issued by the City, Planning staff perform a zoning check, which relies primarily on the applicant's submitted information and cross-referencing the City's zoning ordinance for guidance on applying an appropriate use. In instances where there may be zoning discrepancies or additional information required, Planning staff will reach out directly to the applicant for clarification, rely on precedent for similar uses, or confer with other planners for institutional knowledge. Further, if a use is not permitted by zoning code, staff may direct an applicant to apply for a conditional use permit, if permissible in a specific zoning district, or recommend that the applicant rezone their property, or seek an alternative location where the use is permitted by-right. Each planner's determination is then reviewed by the Planning Director prior to approval.

In this instance, planners discussed the application internally and came to a consensus that Use Unit 22 is consistent with the application materials that were submitted. Prominently, the applicant noted that there would be no flammable or explosive materials handled, which can lead to a different use unit designation with corresponding zoning implications. Use Unit 22 includes fabricated metal and structural products, like fire control, transportation, machinery, and HVAC

equipment. Accordingly, City staff found Swarm Aero's stated business activities to accurately align with this.

Alternatively, other use units that could have been considered may have been Use Unit 23, Heavy Industrial, or Use Unit was 42, Clean Technologies, which includes research and development, but not manufacturing. Use Unit 42 is also permitted in the I-1 zoning district. Use Unit 23 would require a rezone to I-2, General Industrial, and Use Unit 31 would require both a rezoning and an additional conditional use permit. With the application materials submitted, there was no indication that the business intended to handle explosives, emit noxious odors, or would otherwise qualify the business as a land use other than Use Unit 22 Manufacturing. The Fayetteville Fire Marshal also investigated the property prior to business license issuance and found no evidence to support that the type of work performed on site would require a more intensive use classification.

Prior to this hearing, the applicant provided an additional description of the proposed site activities, and it is attached to this report.

Should the Board choose to grant the applicant's appeal, the business license would likely require revocation if the applicant chose to remain at the location but is were unable to rezone their property or receive a necessary conditional use permit for this stated location. Following this, if the Board finds in favor of the appellants and applies a different use classification, then the applicant may also seek a relocation to a zoning district that allows the use by-right within the City limits.

Should the Board choose to find in favor of staff's determination, the business license will remain active. However, in the future, if the business activities are found to change in a manner that moves them out of zoning compliance, code outlines a specific set of opportunities for revocation under chapter 118.03 – Suspension and Revocation of Business License.

**BUDGET/STAFF IMPACT:**

None

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**ATTACHMENTS:**

- Unified Development Code
    - 161.30 District I-1, Heavy Commercial And Light Industrial
    - 162: Use Units
  - One Mile Map
  - Close-Up Map
  - Current Land Use Map
  - Business License Application
  - Swarm Aero Written Documentation
  - City Attorney Memo
  - Request Letter
  - Public Comment
-

**161.30 District I-1, Heavy Commercial And Light Industrial**

(A) *Purpose.* The Heavy Commercial District is designed primarily to accommodate certain commercial and light industrial uses which are compatible with one another but are inappropriate in other commercial or industrial districts. The Light Industrial District is designed to group together a wide range of industrial uses, which do not produce objectionable environmental influences in their operation and appearance. The regulations of this district are intended to provide a degree of compatibility between uses permitted in this district and those in nearby residential districts.

(B) *Uses.*

(1) *Permitted Uses.*

Unit 1	City-wide uses by right
Unit 3	Public protection and utility facilities
Unit 4	Cultural and recreational facilities
Unit 5	Government Facilities
Unit 6	Agriculture
Unit 13	Eating places
Unit 16	Shopping goods
Unit 17	Transportation trades and services
Unit 18	Gasoline service stations and drive-in/drive-through restaurants
Unit 21	Warehousing and wholesale
Unit 22	Manufacturing
Unit 25	Offices, studios and related services
Unit 27	Wholesale bulk petroleum storage facilities with underground storage tanks
Unit 42	Clean technologies
Unit 46	Short-term rentals

(2) *Conditional Uses.*

Unit 2	City-wide uses by conditional use permit
Unit 19	Commercial recreation, small sites
Unit 20	Commercial recreation, large sites
Unit 28	Center for collecting recyclable materials
Unit 36	Wireless communications facilities
Unit 38	Mini-storage units
Unit 43	Animal boarding and training

(C) *Density.* None.

(D) *Bulk and Area Regulations.* None.

(E) *Setback Regulations.*

Front, when adjoining A or R districts	50 feet
Front, when adjoining C, 1, or P districts	25 feet
Side, when adjoining A or R districts	50 feet
Side, when adjoining C, 1, or P districts	10 feet
Rear	25 feet

(F) *Height Regulations.* There shall be no maximum height limits in I-1 District, provided, however, that if a building exceeds the height of two (2) stories, the portion of the building that exceeds two (2) stories 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 two (2) stories shall be equal to the difference between the total height of that portion of the building, and two (2) stories.

(G) *Building Area.* None.

(Ord. No. 6945, §5(Exh. D), 12-16-25)

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## CHAPTER 162: USE UNITS

### 162.01 Establishment/Listing

The various use units referred to in the zoning district provisions are herein listed in numerical order. Within the use units, the permitted uses are ordinarily listed in alphabetical order. In these use units where there is a preliminary descriptive statement (which may mention specific uses) in addition to the detailed list of uses, the detailed list shall govern.

Unit 1	City-wide uses by right
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 6	Agriculture
Unit 7	Animal husbandry
Unit 8	Single-family dwellings
Unit 9	Two-family dwellings
Unit 10	Three (3) and four (4) family dwellings
Unit 11	Manufactured home park
Unit 12a	Limited business
Unit 12b	General business
Unit 13	Eating places
Unit 14	Hotel, motel and amusement facilities
Unit 15	Neighborhood shopping goods
Unit 16	Shopping goods
Unit 17	Transportation Trades and services
Unit 18	Gasoline service stations and drive-in/drive-through restaurants
Unit 19	Commercial recreation, small sites
Unit 20	Commercial recreation, large sites
Unit 21	Warehousing and wholesale
Unit 22	Manufacturing
Unit 23	Heavy industrial
Unit 24	Home occupation
Unit 25	Offices, studios, and related services
Unit 26	Multi-family dwellings
Unit 27	Wholesale bulk petroleum storage facilities with underground storage tanks
Unit 28	Center for collecting recyclable materials
Unit 29	Dance halls
Unit 30	Extractive uses
Unit 31	Facilities emitting odors & facilities handling explosives
Unit 32	Sexually oriented business
Unit 33	Adult live entertainment club or bar
Unit 34	Liquor stores
Unit 35	Outdoor music establishments
Unit 36	Wireless communications facilities
Unit 37	Manufactured homes
Unit 38	Mini-storage units
Unit 39	Auto salvage and junk yards
Unit 40	Sidewalk Cafes
Unit 41	Accessory dwellings
Unit 42	Clean technologies
Unit 43	Animal boarding and training

Unit 44	Cluster Housing Development
Unit 45	Small scale production
Unit 46	Short-term rentals
Unit 48	Private dormitories

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**(W) Unit 22. Manufacturing.**

- (1) *Description.* Unit 22 consists of industrial uses which usually generate some adverse environmental effects and for this reason they should be located away from uses which do not produce adverse effects.
- (2) *Included Uses.*

Fabricated metal products:	• Cutlery engraving
	• Fire control equipment
	• Guns and related equipment
	• Machinery
	• Tanks
	• Transportation equipment, including body shops
Fabricated structural products:	• Air conditioning and cooling apparatus
	• Fabricated wire products
	• Fire control equipment
	• Hardware products
	• Heating apparatus
	• Metal cans
Miscellaneous manufacturing:	• Athletic goods
	• Amusements
	• Musical instruments
	• Plated ware
	• Silverware
	• Sporting goods
	• Toys
	• Textile products
	• Housing for caretakers

...

**(X) Unit 23. Heavy Industrial.**

- (1) *Description.* Unit 23 consists of uses which cause the greatest adverse environmental effects because of odor, noise, unsightliness, air pollution and explosions.
- (2) *Included Uses.*

Manufacturing uses:	• Fabricated metal products
	• Primary metal industries
	• Textile mill products
Processing and sales:	• Scrap metal
	• Refuse
Repair service	• Tirecapping
Wrecking and demolition services	
Apparel products:	• Industrial leather belting
Clay products	
Food and allied products	
Furniture and allied products	

Glass products	
Lumber and wood products:	<ul style="list-style-type: none"> <li>• Millware products</li> <li>• Plywood products</li> <li>• Prefabricated structural wood</li> <li>• Veneer products</li> <li>• Wooden container</li> </ul>
Paper and allied products:	• Paperboard containers
Petroleum and related industries:	<ul style="list-style-type: none"> <li>• Coal yard</li> <li>• Lubricating oils and greases</li> </ul>
Primary metal industry:	• Foundry
Stone products	
Housing for caretakers	

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**(FF) Unit 31. Facilities Emitting Odors and Facilities Handling Explosives. \***

- (1) *Description.* Unit 31 consists of facilities which are heavy industrial in nature, but which have the potential to have adverse effects such as odor or the potential for explosions
- (2) *Included Uses.*

Manufacturing Uses:	Chemical and allied products	
	Food and kindred products:	<ul style="list-style-type: none"> <li>• Animal fats and oils rendering</li> <li>• Beverages distilling</li> <li>• Meat slaughtering and packaging</li> </ul>
	Paper and allied products	
	Rubber and plastic products	
Processing and sales:	Explosives	
Wholesale and warehousing:	Livestock stockyards	
	Explosive materials	
Apparel products:	Leather tanning	
Chemical and allied products:	Any process likely to emit odor or have the potential for explosion	
Paper and allied products:	Building paper and board	• Paper
Petroleum and related industries:	Bulk station and terminal	
Rubber and miscellaneous plastic products:	Inner tubes Tires	

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**(QQ) Unit 42. Clean Technologies.**

- (1) *Description.* Unit 42 consists of uses that fabricate or produce goods and services that greatly reduce or eliminate negative environmental impacts, create new technologies or improve the productive and responsible use of natural resources.

Alternative Energy Fabrication and Storage Components:	• Wind
	• Solar

	• Fuel cells
	• Batteries
	• Hybrid systems
Fabrication or Production of Materials:	• Nano Technologies
	• Solar panels
	• Computer components, such as microchips
	• Advanced packaging
Research and Development:	• Monitoring and control systems
	• Energy infrastructure management
	• Energy efficiency management
	• Materials and recycling management
	• Transportation logistics
	• Environmental cleanup and safety
	• Scientific or high tech research laboratories

(Code 1965, App. A., Art. 6 (A), (F); Ord. No. 329, 10-1-85; Ord. No. 3165, 2-4-86; Ord. No. 3341, 3-15-88; Ord. No. 1747, 6-29-70; Code 1991, §§118.01, 160.055; Ord. No. 3546, 4-19-91; Ord. No. 3792, §§2, 3, 5-17-94; Ord. No. 3870, §1 (Ex. A), 2-21-95; Ord. No. 3909, §1, 7-18-95; Ord. No. 3971, §§3, 4, 5-21-96; Ord. No. 4024, §3, 3-18-97; Ord. No. 4034, §§1, 2, 4-15-97; Ord. No. 4100, §2 (Ex. A), 6-16-98; Ord. No. 4376, §5 (Ex. E), §6 (Ex. F), 3-5-02; Ord. No. 4423, §1 (Ex. A), 10-02-02, Ord. No. 4728, 7-19-05; Ord. No. 4913, 8-15-06; Ord. No. 4919, 09-05-06; Ord. No. 4930, 10-03-06; Ord. No. 4946, 11-21-06; Ord. No. 5028, 6-19-07; Ord. No. 5128, 4-15-08; Ord. No. 5203, 12-2-08; Ord. No. 5195, 11-6-08; Ord. No. 5226, 3-3-09; Ord. No. 5238, 5-5-09; Ord. No. 5312, 4-20-10; Ord. No. 5312, 4-20-10; Ord. No. 5338, 8-3-10; Ord. No. 5339, 8-3-10; Ord. No. 5352, 9-7-10; Ord. No. 5462, 12-6-11, Ord. No. 5668, 3-18-14; Ord. No. 5735, 1-20-15; Ord. No. 5772, 5-19-15; Ord. No. 5921, §§2, 3, 11-1-16; Ord. No. 5945, §§10—14, 1-17-17; Ord. No. 5990, §1, 8-1-17; Ord. No. 6245, §3, 10-15-19; Ord. No. 6427, §§1(Exh. D), 2, 4-20-21; Ord. No. 6624, §1, 11-1-22; Ord. No. 6678, §2, 9-5-23; Ord. No. 6879, §3, 5-20-25)

Editor's note(s)—Ord. No. 6888, §1, adopted June 17, 2025 determines that Ordinance 6427 (Sunset Clause), Ordinance 6625 (extending Sunset Clause), Ordinance 6710 (extending the Sunset Clause), and Ordinance 6820 (extending the Sunset Clause) be amended so that Ordinance 6427 and all amendments to Code Sections ordained or enacted by Ordinance 6427 shall automatically sunset, be repealed and become void on November 30, 2025 unless prior to that time and date the City Council amends this ordinance to repeal or further amend this sunset, repeal and termination section.

**162.02 Interpretation**

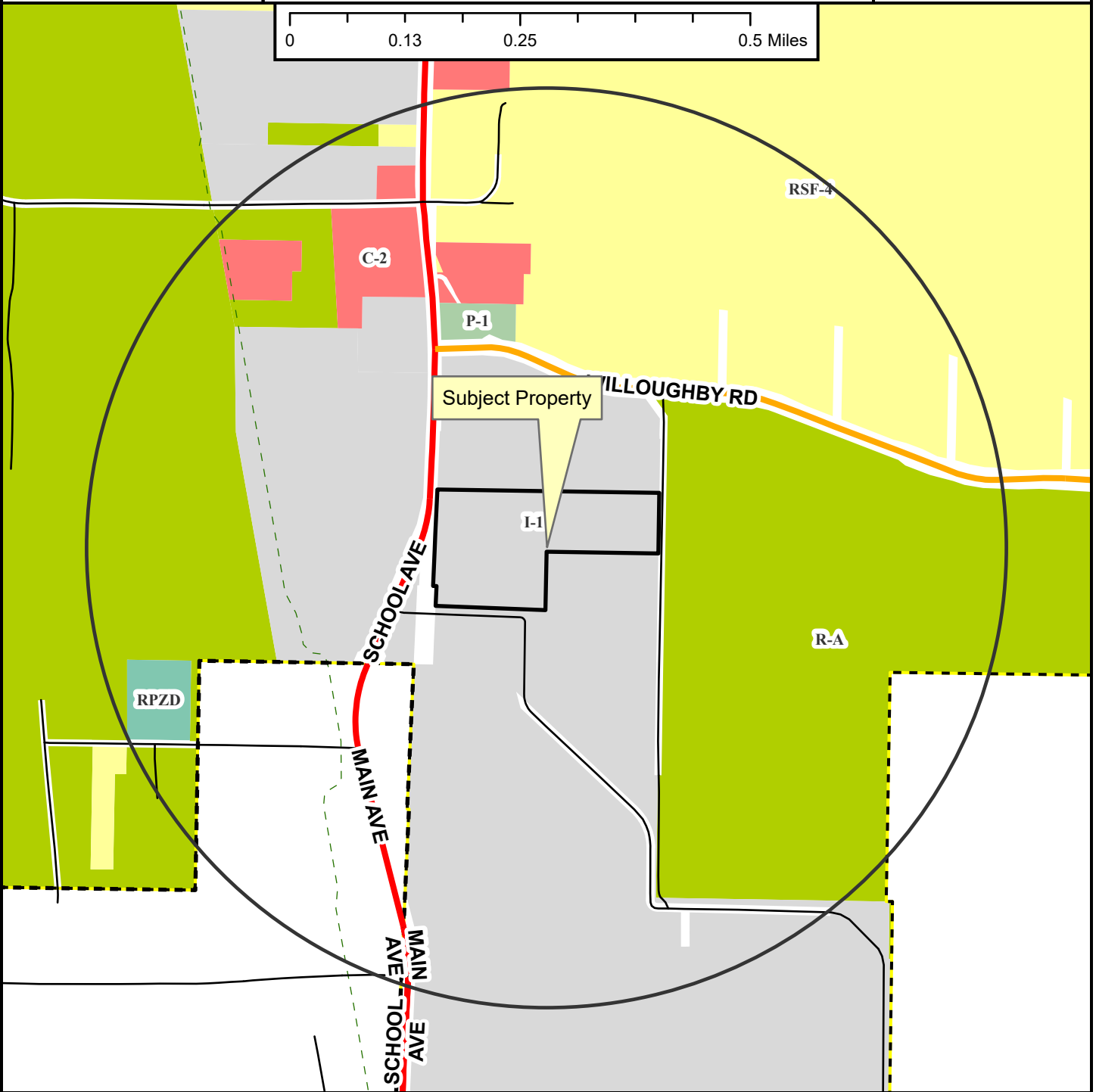
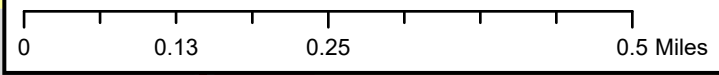
- (A) In each use unit division, permitted uses are set forth in the division entitled "Included uses." In the event of a conflict between such divisions and the "description" divisions, the former shall prevail.
- (B) In any case where there is a question as to whether or not a particular use is included in a particular use unit, the Zoning and Development Administrator shall decide. A use shall not be interpreted as being in any use unit if it is specifically listed in another unit in this chapter.

(Code 1965, App. A., Art. 6(B); Ord. No. 1747, 6-29-70; Ord. No. 2181, 1-6-76; Code 1991, §160.056; Ord. No. 4100, §2 (Ex. A), 6-16-98)

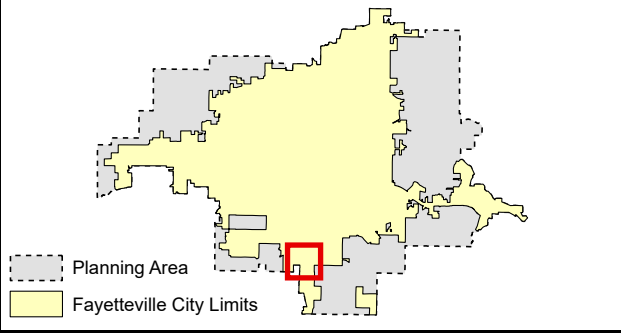
BOA-2026-0002

# 3660 S. SCHOOL AVE

One Mile View



- Regional Link
- Neighborhood Link
- Unclassified
- Residential Link
- Trail (Proposed)
- Design Overlay District
- Fayetteville City Limits
- Planning Area

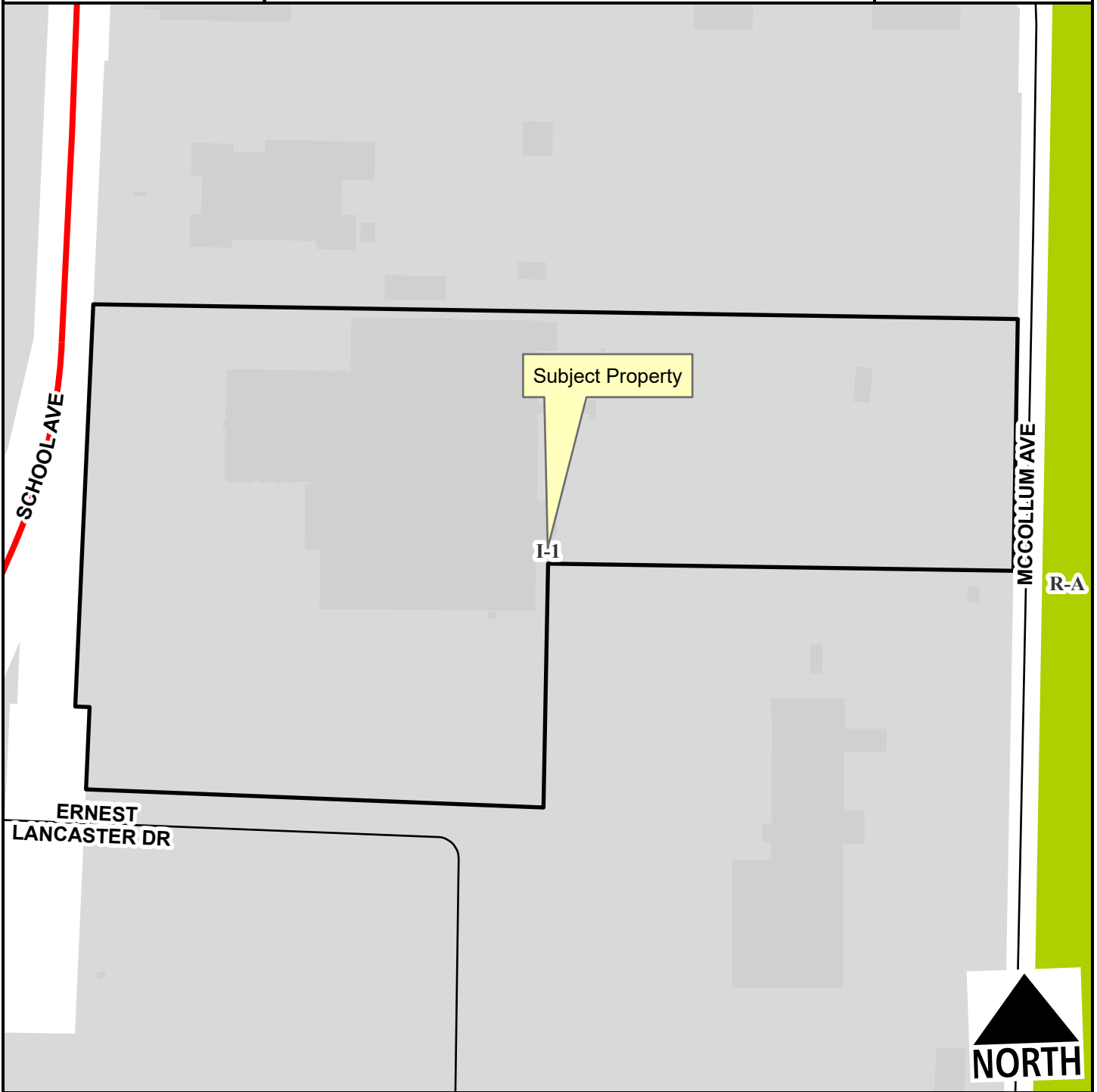


Board of Adjustment  
April 6, 2026  
Item 3

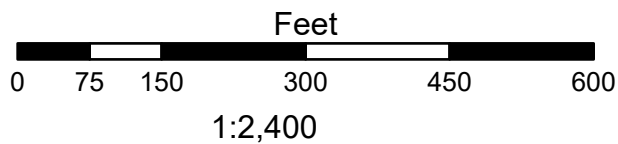
BOA-2026-0002

# 3660 S. SCHOOL AVE

Close Up View



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

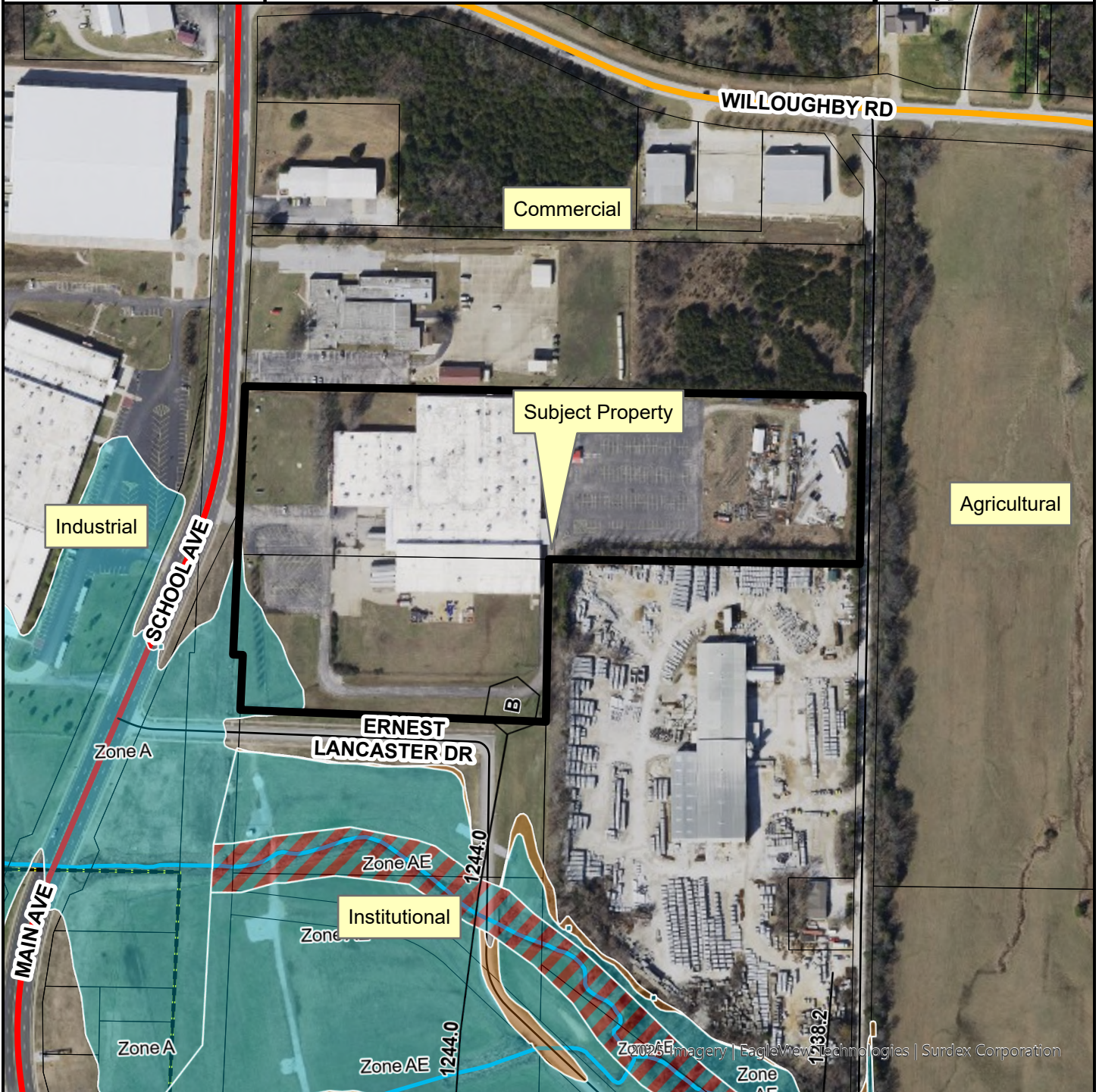








BOA-2026-0002

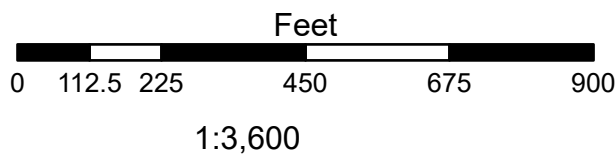
# 3660 S. SCHOOL AVE





Current Land Use



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



### FEMA Flood Hazard Data

-  100-Year Floodplain
-  Floodway

Board of Adjustment  
 April 6, 2026  
 Item 3

BLC-1079-2025 • Autonomous Defense Technologies Corp • Swarm Aero (3660 S SCHOOL AVE FAYETTEVILLE, AR 72701)



New Business License

Summary

Details

Location

Industry Classification

Additional Info

Workflow

Linked Records

Holds

Contacts (3)

Fees (1)

Bonds

Activities

Files (1)

Print Documents

Conditions

Tasks (1)

Internal Notes (3)

Inspection Cases

Communication (1)

History

BLC-1079-2025 • Autonomous Defense Technologies Corp • Swarm Aero • Issued

License Type Business License Commercial	Classification Manufacturing	Industry Classification 3364 - Aerospace Product and Parts Manufacturing	Issued By EGSystem Administrator	License Year 2025
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Application Date 12/16/2025	Expiration Date 10/31/2026	Invoice Date 12/16/2025	Last Renewal Date
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\$ 0.00

Pay fees

Recent Activity

**Workflow Activity**  
Action: Issue Business License  
Status: Passed  
Date: 02/17/2026

**Workflow Activity**  
Action: Set Status Change  
Status: Passed  
Date: 02/17/2026

**Workflow Activity**  
Action: Planning Supervisor Review  
Status: Passed  
Date: 02/12/2026

**Workflow Activity**  
Action: Commercial Business License Review  
Status: Passed  
Date: 02/09/2026

**Workflow Activity**  
Action: Confirm Application Complete  
Status: Passed  
Date: 12/16/2025

**Workflow Activity**  
Action: Address Verification  
Status: Passed

Business Details

Business Name Autonomous Defense Technologies Corp	DBA Swarm Aero
Business Type Corporation	Status Active
Location Commercial	Open Date

Location



Solano, Tavi

TS Autonomous ... ID-000026651

Applicant

Mobile Phone (479) 466-1177

Email becca@swarm.aero

Main Address 3660 S School Ave Fayetteville, AR 72701

Title

Previous Licenses

Board of Adjustment

April 6, 2026

Item 3

SCREENSHOTS FROM BUSINESS LICENSE

BLC-1079-2025 • Autonomous Defense Technologies Corp • Swarm Aero (3660 S SCHOOL AVE FAYETTEVILLE, AR 72701)



New Business License

- Summary
- Details
- Location
- Industry
- Classification
- Additional Info
- Workflow
- Linked Records
- Holds
- Contacts (3)
- Fees (1)
- Bonds
- Activities
- Files (1)
- Print Documents
- Conditions
- Tasks (1)
- Internal Notes (3)
- Inspection Cases
- Communication (1)
- History

License Type *	District *	Application/Renewal Date *
Business License Commercial	SouthSide <input type="text"/>	12/16/2025 <input type="text"/>
Classification *	Status *	License Year *
Manufacturing	Issued <input type="text"/>	2025
Assigned To	Issued Date	
Kimberly McGuire <input type="text"/>	02/17/2026 <input type="text"/>	
Issued by *	Expiration Date	
EGSystem Administrator <input type="text"/>	10/31/2026 <input type="text"/>	
Account	Last Renewal Date	
Linked Account Balance		
\$0.00		
Description		
Aerospace research and development <input type="text"/>		

### SCREENSHOTS FROM BUSINESS LICENSE

BLC-1079-2025 • Autonomous Defense Technologies Corp • Swarm Aero (3660 S SCHOOL AVE FAYETTEVILLE, AR 72701)



New Business License

- Summary
- Details
- Location
- Industry Classification**
- Additional Info
- Workflow
- Linked Records
- Holds
- Contacts (3)
- Fees (1)
- Bonds
- Activities
- Files (1)
- Print Documents
- Conditions
- Tasks (1)
- Internal Notes (3)
- Inspection Cases
- Communication (1)
- History

Industry Classification



Name ↓	Primary Code
3364 - Aerospace Product and Parts Manufacturin	<input type="radio"/>

SCREENSHOTS FROM BUSINESS LICENSE

New Business License

- Summary
- Details
- Location
- Industry Classification
- Additional Info**
- Workflow
- Linked Records
- Holds
- Contacts (3)
- Fees (1)
- Bonds
- Activities
- Files (1)
- Print Documents
- Conditions
- Tasks (1)
- Internal Notes (3)
- Inspection Cases
- Communication (1)
- History

General Information Legacy Information

Date Business Opened: 02/08/2022

Building Square Footage: 136000

Full Time Employees: 42

Business Square Footage: 77125

Part Time Employees: 0

Outdoor Music or Dancing: No

HMR: No

Sprinkler System: Yes

If HMR: N/A

Fire Alarm: Yes

Rental Property Business: No

Outdoor Storage of Equipment: Yes

Number of Rental Units: If Yes, please describe: small equipment on south side of building

Sexually Oriented Business: No

Flammable or Explosive Materials: No

If Yes, Please Describe: [Empty]

New Structure: No

If Yes, Please Describe: [Empty]

If No, Previous Use: [Empty]

Structure Vacant: No

If yes, how long: [Empty]

If an insurance company, does your business pay the premium tax required by A.C.A. Section 26-57-603 - 605?: No

Zoning District: I-1 Heavy Commercial & Light Industrial

Use Unit: UU-22 Manufacturing

Change of Ownership: No

Change of Business Location: No

If yes, previous location: [Empty]

If yes, previous business license number: [Empty]

Emergency Contact #1 - Name: Tavi Solano

Emergency Contact #1 - Phone Number: 4794661177

Emergency Contact #2 - Name: Spencer Rodriguez

Emergency Contact #2 - Phone Number: 5622213998

Business Website Address: https://www.swarm.aero/

Owner Designation:
 

- Minority
- Veteran
- Female
- N/A

Description of Business: [Empty]

Individual Responsible for Business Operations: Include full name, phone number, and email address for a local individual or individuals responsible for business operations.
   
Spencer Rodriguez, 562.221.3998, spencer@swarm.aero OR Tavi Solano, 479.466.1177, becca@swarm.aero

New Business License

- Summary
- Details
- Location
- Industry Classification
- Additional Info
- Workflow**
- Linked Records
- Holds
- Contacts (3)
- Fees (1)
- Bonds
- Activities

Review

Priority Order  
1

Sort Order  
5

- Review**  
Step completed by Bertram, Becca on 02/17/2026
- Business Issuance**  
Step completed by Bertram, Becca on 02/17/2026

**Commercial Business License Review • 2 of 2 Reviews Completed**

Submittal Status	Due Date	Start Date	Status	Assigned	Due	Complete
Approved	01/16/2026	12/16/2025	Approved	12/16/2025	01/16/2026	12/23/2025
<b>Item reviews</b>						
<b>Planning - License Review</b>	<b>User</b> Citlali Samano	<b>Status</b> Approved	<b>Assigned</b> 12/16/2025	<b>Due</b> 01/16/2026	<b>Complete</b> 12/23/2025	
12/23/2025 CS - Use Unit 22: Manufacturing. Use unit and zoning confirmed (aerospace research/development). UU 22 is a permitted use in the I-1 zoning district. OK for approval.						
<b>Fire Marshal - License Review</b>	<b>User</b> Levi Crandell	<b>Status</b> Approved	<b>Assigned</b> 12/16/2025	<b>Due</b> 01/16/2026	<b>Complete</b> 02/09/2026	
1st email 12/17						

**Planning Supervisor Review • Completed • Normal • Planning Supervisor Review**

Subject	Start Date	Due Date	Completed Date
Business License Final Review	02/10/2026	02/13/2026	02/12/2026
<b>Assigned User</b> Viktor Tellez (Business License Clerk)	<b>Body</b> Please complete the business license review assigned to you. 2/12/2026 JLM - OK for approval.		
<b>Review Manager</b> Jessie Masters (Development Review Manager)			
<b>Customer Relations Manager</b> Becca Bertram (Operations and Customer Relations Manager)			

Activate Windows  
Go to Settings to activate Windows

SCREENSHOTS FROM BUSINESS LICENSE



## Who Are We?

Swarm Aero is an American aerospace manufacturer founded in 2022 and headquartered in Oxnard, California.

We design and manufacture large uncrewed aircraft as well as the software that enables these - and other - vehicles to be operated more efficiently.

### Founders:

Danny Goodman  
Peter Kalogiannis  
Oliver Palmer



## Why Arkansas?

- We evaluated more than 20 states before choosing Arkansas and settling in Fayetteville. Each day we're reminded we made the right call.
- From our university partners to our neighbors at Drake Field to the civic leaders who joined us for our ribbon cutting — we are proud of the relationships we are building here.
- We are not just operating here. We are investing here, hiring here, and building something we believe this community will be proud of for a long time.
- We are actively hiring across the organization and intend to double our aircraft team in 2026.



## What Are Our Fayetteville Facilities To Be Used For?

- Our operations at 3660 S. School are for aircraft manufacturing only: composite fabrication, airframe assembly, and engineering research and development.
- Our aircraft - like any aircraft - are built to carry payloads of a variety of types. We do not manufacture or decide on those payloads.
- There are no explosive materials, no ordnance, and no hazardous chemical emissions associated with our work.
- This kind of aircraft manufacturing happens in many facilities across the country, with no odors emitted

### **When Will We Take Flight?**

- We celebrated our ribbon cutting in February 2026 and are working towards having our first flight in the next two years (so by mid-2028) at our development facilities elsewhere
- The only flights that will take place from Fayetteville will be one-way delivery operations where the aircraft takes off from Drake Field, but lands elsewhere at the customer's site. These flights are years away. No test flights will take place in Fayetteville.

### **For Complete Clarification:**

- No weapons manufacturing or testing
- No explosives present
- Not a data center
- A pilot manufacturing facility at which initial flight testing isn't slated to start til mid-2028



DEPARTMENTAL CORRESPONDENCE



OFFICE OF THE CITY ATTORNEY

Kit Williams City Attorney

Blake Pennington Senior Assistant City Attorney

Hannah Hungate Assistant City Attorney

Stacy Barnes Paralegal

TO: Board of Adjustment

CC: Jessie Masters, Planning Director

FROM: Blake Pennington, Senior Assistant City Attorney

DATE: April 2, 2026

RE: Appeal of Staff Zoning Determination

Most of the items heard by the Board of Adjustment are requests for variances from zoning regulations. However, § 155.06(B)(1) of the Unified Development Code provides as follows:

(B) Appeals to the Board of Adjustment. The following interpretations and decisions may be appealed by an owner of record of the property in question or a council member on behalf of a resident of the city to the Board of Adjustment:

(1) Zoning and Development Administrator. An interpretation or decision regarding zoning matters.

§ 162.02 - Interpretation of the UDC provides in subsection (B):

“In any case where there is a question as to whether or not a particular use is included in a particular use unit, the Zoning and Development Administrator shall decide. A use shall not be interpreted as being in any use unit if it is specifically listed in another unit in this chapter.”

Because the UDC cannot possibly list the entire universe of uses, the Zoning and Development Administrator must occasionally interpret how an unlisted use should be classified. In this case, Autonomous Defense Technologies Corp. d/b/a Swarm Aero submitted a business license application describing its proposed activities on its property as “aerospace research and development.” Under industry classification, the application shows a North American Industry Classification System (NAICS) Code 3364, which is for “Aerospace Product and Parts

Manufacturing.” The only question you are considering, therefore, is whether the Zoning and Development Administrator properly classified “aerospace research and development” or “Aerospace Product and Parts Manufacturing” under Use Unit 22, Manufacturing. The description of this use unit in Section 162.01(W) of the Unified Development Code is:

(W) Unit 22. Manufacturing.

(1) Description. Unit 22 consists of industrial uses which usually generate some adverse environmental effects and for this reason they should be located away from uses which do not produce adverse effects.

Another potential use unit this type of activity could be classified under is Unit 42, Clean Technologies, which is also allowed by right in zoning district I-1, Heavy Commercial and Light Industrial. Unit 42 is described in Section 162.02(QQ): “Unit 42 consists of uses that fabricate or produce goods and services that greatly reduce or eliminate negative environmental impacts, create new technologies or improve the productive and responsible use of natural resources.”

The only industrial or manufacturing type use units more intense than Unit 22 are Unit 23, Heavy Industrial and Unit 31, Facilities Emitting Odors and Facilities Handling Explosives. Unit 23 is not allowed in I-1 zoning but is allowed by right in I-2, General Industrial. Unit 31 is not allowed by right in any zoning district but is a conditional use in I-2, General Industrial. However, when asked if there would be “flammable or explosive materials” the applicant stated there would not and also received approval from the Fayetteville Fire Department.

The regulations for Use Units 22, 23, 31, and 42 are attached for your reference. As I mentioned above, the list of uses within each use unit is not exclusive but these are provided so you can compare the types of activities that fall under each use unit to help you determine if Unit 22 was an improper classification.

### Conclusion

The Board of Adjustment’s only duty is to determine whether the interpretation or decision by Jessie Masters should be overturned. Her interpretation/decision was that “aerospace research and development” is properly classified under Use Unit 22. A majority vote by the Board of Adjustment is necessary to overturn that decision.

## 162.01 Establishment/Listing

(W) *Unit 22. Manufacturing.*

(1) *Description.* Unit 22 consists of industrial uses which usually generate some adverse environmental effects and for this reason they should be located away from uses which do not produce adverse effects.

(2) *Included Uses.*

Fabricated metal products:	• Cutlery engraving
	• Fire control equipment
	• Guns and related equipment
	• Machinery
	• Tanks
	• Transportation equipment, including body shops
Fabricated structural products:	• Air conditioning and cooling apparatus
	• Fabricated wire products
	• Fire control equipment
	• Hardware products
	• Heating apparatus
	• Metal cans
Miscellaneous manufacturing:	• Athletic goods
	• Amusements
	• Musical instruments
	• Plated ware
	• Silverware
	• Sporting goods
	• Toys
	• Textile products
	• Housing for caretakers

(X) Unit 23. Heavy Industrial.

- (1) *Description.* Unit 23 consists of uses which cause the greatest adverse environmental effects because of odor, noise, unsightliness, air pollution and explosions.
- (2) *Included Uses.*

Manufacturing uses:	<ul style="list-style-type: none"><li>• Fabricated metal products</li></ul>
	<ul style="list-style-type: none"><li>• Primary metal industries</li></ul>
	<ul style="list-style-type: none"><li>• Textile mill products</li></ul>
Processing and sales:	<ul style="list-style-type: none"><li>• Scrap metal</li></ul>
	<ul style="list-style-type: none"><li>• Refuse</li></ul>
Repair service	<ul style="list-style-type: none"><li>• Tirecapping</li></ul>
Wrecking and demolition services	
Apparel products:	<ul style="list-style-type: none"><li>• Industrial leather belting</li></ul>
Clay products	
Food and allied products	
Furniture and allied products	
Glass products	
Lumber and wood products:	<ul style="list-style-type: none"><li>• Millware products</li></ul>
	<ul style="list-style-type: none"><li>• Plywood products</li></ul>
	<ul style="list-style-type: none"><li>• Prefabricated structural wood</li></ul>
	<ul style="list-style-type: none"><li>• Veneer products</li></ul>
	<ul style="list-style-type: none"><li>• Wooden container</li></ul>
Paper and allied products:	<ul style="list-style-type: none"><li>• Paperboard containers</li></ul>
Petroleum and related industries:	<ul style="list-style-type: none"><li>• Coal yard</li><li>• Lubricating oils and greases</li></ul>
Primary metal industry:	<ul style="list-style-type: none"><li>• Foundry</li></ul>
Stone products	
Housing for caretakers	

(FF) Unit 31. Facilities Emitting Odors and Facilities Handling Explosives. \*

(1) *Description.* Unit 31 consists of facilities which are heavy industrial in nature, but which have the potential to have adverse effects such as odor or the potential for explosions

(2) *Included Uses.*

Manufacturing Uses:	Chemical and allied products	
	Food and kindred products:	<ul style="list-style-type: none"> <li>• Animal fats and oils rendering</li> </ul>
		<ul style="list-style-type: none"> <li>• Beverages distilling</li> </ul>
		<ul style="list-style-type: none"> <li>• Meat slaughtering and packaging</li> </ul>
	Paper and allied products	
	Rubber and plastic products	
Processing and sales:	Explosives	
Wholesale and warehousing:	Livestock stockyards	
	Explosive materials	
Apparel products:	Leather tanning	
Chemical and allied products:	Any process likely to emit odor or have the potential for explosion	
Paper and allied products:	Building paper and board	<ul style="list-style-type: none"> <li>• Paper</li> </ul>
Petroleum and related industries:	Bulk station and terminal	
Rubber and miscellaneous plastic products:	Inner tubes Tires	

(QQ) Unit 42. Clean Technologies.

- (1) *Description.* Unit 42 consists of uses that fabricate or produce goods and services that greatly reduce or eliminate negative environmental impacts, create new technologies or improve the productive and responsible use of natural resources.

Alternative Energy Fabrication and Storage Components:	• Wind
	• Solar
	• Fuel cells
	• Batteries
	• Hybrid systems
Fabrication or Production of Materials:	• Nano Technologies
	• Solar panels
	• Computer components, such as microchips
	• Advanced packaging
Research and Development:	• Monitoring and control systems
	• Energy infrastructure management
	• Energy efficiency management
	• Materials and recycling management
	• Transportation logistics
	• Environmental cleanup and safety
	• Scientific or high tech research laboratories



OFFICE OF THE  
CITY ATTORNEY

## DEPARTMENTAL CORRESPONDENCE



Kit Williams  
City Attorney

Blake Pennington  
Senior Assistant City Attorney

Hannah Hungate  
Assistant City Attorney

Stacy Barnes  
Paralegal

TO: **Sarah Moore**, Council Member

CC: **Keith Macedo**, Chief of Staff  
**Jonathan Curth**, Development Services Director  
**Jessie Masters**, Planning Director  
**Blake Pennington**, Senior Assistant City Attorney

FROM: **Kit Williams**, City Attorney

DATE: **February 20, 2026**

RE: **Swarm Aero, Zoning Interpretation Issue**

Thank you for your question about how to review a decision by City Staff regarding a zoning issue. As you probably know, the Zoning and Development Administrator (formerly known as the City Planner and currently as Planning Director) was empowered by the Fayetteville City Council to interpret and administer the *Unified Development Code* sections involving zoning. Therefore, the decision that the manufacturer Swarm Aero would be authorized to do business in I-1, Heavy Commercial and Light Industrial was properly made by the authorized City Staff.

However, even though the correct staff member made this decision, you may appeal such decision pursuant to § 155.06 **Appeals from Staff Interpretations and Actions (B) Appeals to the Board of Adjustment**. "The following interpretations and decisions may be appealed by an owner of record of the property in question or a council member on behalf of a resident of the city to the Board of Adjustment."

Also attached is § 155.02 **Form/Time/Place** “For appeals to the City Council, Planning Commission, Board of Adjustment or Construction Board of Adjustments and Appeals, the following requirements must be met:

(A) *Form.* All appeals must be submitted in writing (which may include by email) and which should reference the applicable UDC sections and set forth the reasons the applicant contends the decision was in error and how the applicant is adversely impacted.”

The section goes on to state that “Appeals shall be submitted within ten (10) working days from the date of the final action taken.” § 155.02 (B) *Time.* Weekends and holidays are not counted for this ten-day appeal period.

An appeal to the “Board of Adjustment shall be filed with the Zoning and Development Administrator.” § 155.02 (C)(2).

If you have further questions, please let me know.

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## 155.06 Appeals From Staff Interpretations And Actions

(A) *Appeals to City Council.*

- (1) The City Engineer's decision to issue a violation notice or stop work order may be appealed to the City Council by an owner of record of the property in question or a council member on behalf of a resident of the city.
- (2) The Zoning and Development Administrator's decision to deny a vacation of any public easement (whether constructed or not) or portion thereof may be appealed by the owner of record of the property.
- (3) *Stormwater Management Utility Fee Decision.* If an appealing property owner or customer disagrees with the City Engineer's decision regarding their appeal concerning the application, assessment, legality, or constitutionality of the stormwater management utility fee to their property, that property owner or customer may appeal the City Engineer's decision to the City Council.

(B) *Appeals to the Board of Adjustment.* The following interpretations and decisions may be appealed by an owner of record of the property in question or a council member on behalf of a resident of the city to the Board of Adjustment:

- (1) *Zoning and Development Administrator.* An interpretation or decision regarding zoning matters.
- (2) *Building Safety Officer—Airport Zone.* Any person aggrieved, or any taxpayer affected by any decision of the Building Safety Officer, made in the administration of Airport Zone, Chapter 165.

(C) *Appeals to the Planning Commission.*

(1) *Zoning and Development Administrator's Required Dedications and Improvements.*

- (a) An owner or developer who is aggrieved by the requirements of the Unified Development Code for land, right-of-way or easement dedications, construction of on-site or off-site improvements, or payments in lieu of any dedication or improvement, which are in excess of the "rough proportionality" of the impact of the development upon the city's infrastructure or services may appeal such requirement to the Planning Commission as a part of the submission of the preliminary plat, large scale development, subdivision, building permit, lot split, grading permit, floodplain development permit, or otherwise within ten (10) days of notification of such development requirements. The appeal must be presented to the Planning Division in writing and state the grounds, or reasons for the appeal.
- (b) The Planning Commission shall determine after public hearing whether the required dedications, improvements, and fees meet the "rough proportionality" of the impact of the development on city infrastructure and services. If the requirements are in excess of the "rough proportionality," the Planning Commission is empowered to modify or reduce such requirements to achieve "rough proportionality."
- (c) Any potential reduction of impact fees must be approved by the City Council.

(2) *Administrative Approvals and Interpretations by Zoning and Development Administrator.*

- (a) A resident of the city or an owner/developer who is aggrieved by a decision of the Zoning and Development Administrator regarding development matters that are approved administratively pursuant to §166.02(C), §172.05 or otherwise may appeal the final development approval decision affected by this matter to the Planning Commission. The appeal shall be submitted in writing to the Planning Division within ten (10) working days of the final decision. The Planning Commission may consider the following factors and issues:

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## CHAPTER 155: APPEALS

### 155.01 Circuit Court

Unless internally appealed as set forth otherwise below, all appeals from final actions taken by the City Council, Planning Commission, Board of Adjustment, Construction Board of Adjustment and Appeals, and the Zoning and Development Administrator shall be taken to the Circuit Court of Washington County.

(Code 1965, App. A., Art. 9(6); Ord. No. 1747, 6-29-70; Ord. No. 2323, 4-5-77; Ord. No. 2538, 7-3-79; Code 1991, §160.175; Ord. No. 3925, §7, 10-3-95; Ord. No. 4100, §2 (Ex. A), 6-16-98; Ord. No. 4652, 12-07-04); Ord. No. 6867, §1, 5-6-25)

### 155.02 Form/Time/Place

For appeals to the City Council, Planning Commission, Board of Adjustment or Construction Board of Adjustments and Appeals, the following requirements must be met:

- (A) *Form.* All appeals must be submitted in writing (which may include by email) and which should reference the applicable UDC sections and set forth the reasons the applicant contends the decision was in error and how the applicant is adversely impacted.
- (B) *Time.*
  - (1) *Appeals.* Appeals shall be submitted within ten (10) working days from the date of the final action taken.
  - (2) *Hearings.* The entity hearing the appeal shall fix a reasonable time for hearing an appeal.
- (C) *Place.* Appeals shall be filed with the following:
  - (1) *City Clerk.* Appeals made to the City Council shall be filed with the City Clerk.
  - (2) *Zoning and Development Administrator.* Appeals made to the Planning Commission or Board of Adjustment shall be filed with the Zoning and Development Administrator.
  - (3) *Building Safety Division Director.* Appeals made to the Construction Board of Adjustment and Appeals shall be filed with the Building Safety Division Director.

(Ord. No. 4100, §2 (Ex. A), 6-16-98; Ord. No. 4652, 12-07-04; Ord. No. 6773, §§ 1, 2, 7-16-24; Ord. No. 6867, §2, 5-6-25)



OFFICE OF THE  
CITY ATTORNEY

## DEPARTMENTAL CORRESPONDENCE



Kit Williams  
City Attorney

Blake Pennington  
Senior Assistant City Attorney

Hannah Hungate  
Assistant City Attorney

Stacy Barnes  
Paralegal

TO: **D'Andre Jones**, Council Member  
**Bob Stafford**, Council Member

CC: **Jonathan Curth**, Development Services Director

FROM: **Kit Williams**, City Attorney

DATE: **March 19, 2026**

RE: **Email from Cory Gargas, Ph.D.**

Thanks for your request that I explain the issuance and revocation procedures for the City to issue a City Business License. Development Services issues business licenses pursuant to § 118.02 **Entry Upon Business Registry and Issuance of Business License of the Fayetteville Code**.

*“(D) Issuance of Business License.*

(1) The Director of Development Services or designee shall promptly issue a business license to any applicable business or entity which properly completes the Application For Business Registry and License, pays the proper fee, and is not ineligible for a business license because of prior suspension or revocation of the license, lack of a required state or city permit, or violation of state law or city ordinance.”

Despite Mr. Gargas’ objections to the issuance of a business license to “Swarm Aero,” I see nothing in his complaint that would legally allow Development Services to fail to “promptly issue a business license” to Swarm Aero.

Any business license can be suspended or revoked based upon the grounds for such action spelled out in § 118.03 **Suspension and Revocation of Business License**.

*“(A) Grounds That Could Support Suspension or Revocation of Business License.*

(1) Valid complaints that the business license holder is operating the business in a dangerously unsanitary or unhealthy manner, or in such manner as to unreasonably and adversely affect the peace, health or safety of neighbors or other Fayetteville citizens.

(2) The determination that the premises are a fire hazard or otherwise unsafe for occupancy because of violations of building, property maintenance or fire codes.

(3) The business is delinquent in submitting Hotel, Motel and Restaurant or city alcohol tax forms or in payment of the city’s Hotel, Motel and Restaurant taxes or any other city or state taxes or required fees.

(4) The business is being operated in violation of any federal or state law or city ordinance or has had a necessary state or city license suspended or revoked.

(5) The business license was procured through fraud or misrepresentation.”

More than mere allegations or speculations would be necessary to suspend or revoke a business license. Concrete examples of unreasonable and adverse effects upon the peace, health or safety of neighbors or citizens would be required. A general dislike of the manufactured product of a business for political reasons would be insufficient to justify revocation of business license in my opinion. However, the Development Services Director would have to make this decision. Any such decision could be appealed by the business license holder to the Chief of Staff for a Due Process Hearing.

As long as a business is legally established and operating legally without creating actual damage or real danger to our citizens, the City of Fayetteville cannot deny the business the right to operate in Fayetteville. If citizens oppose what the business manufacturer makes or what services it offers, they can peacefully demonstrate on public property to show their opposition.

(18) Short-term rentals must comply with the Unified Development Code including the regulations contained in §163.18 and §164.26 and must successfully obtain a business license prior to operation.

(Ord. No. 5347, 9-7-10; Ord. No. 6427, §§1(Exh. A), 2, 4-20-21; Ord. No. 6505, §1(Exh. A), 11-16-21; Ord. No. 6521, §§1, 2, 1-18-22; Ord. No. 6537, §1(Exh. A), 2-15-22; Ord. No. 6630, §1(Exh. A), 12-20-22; Ord. No. 6672, §1, 7-6-23; Ord. No. 6821, §1, 12-4-24)

**Editor’s note**—Ord. No. 6888, §1, adopted June 17, 2025 determines that Ordinance 6427 (Sunset Clause), Ordinance 6625 (extending Sunset Clause), Ordinance 6710 (extending the Sunset Clause), and Ordinance 6820 (extending the Sunset Clause) be amended so that Ordinance 6427 and all amendments to Code Sections ordained or enacted by Ordinance 6427 shall automatically sunset, be repealed and become void on November 30, 2025 unless prior to that time and date the City Council amends this ordinance to repeal or further amend this sunset, repeal and termination section.

**118.02 Entry Upon Business Registry And Issuance Of Business License**

- (A) *Annual Application Required.* Every applicable business or other entity identified in §118.01 shall annually complete the Application For Business Registry And License (substantially as shown on Exhibit A and which can be administratively amended by the Mayor) and pay the appropriate fee as required by this chapter.
- (B) *Time For Application Submittal.* Applications and annual renewals for existing business license holders shall be completed between September 1 and October 31 each year. Business licenses shall be issued for a fiscal year of November 1 to October 31. New businesses, businesses locating to Fayetteville or entities to which these provisions become applicable in the future shall register and obtain their business license within two (2) months of their move into Fayetteville or commencement of activities.
- (C) *Fees.* Fees shall be imposed, as set forth below, to cover a portion of the cost of expenses incurred in connection with the processing of applications.

<i>Fee Description</i>	<i>New</i>	<i>Renewal</i>
Home Based Business	\$26.00	\$10.00
Non-Home Based Business	\$67.00	\$10.00
Short-Term Rental	\$88.00	\$35.00
Renewal Late Fee	\$50.00	

- (D) *Issuance of Business License.*
  - (1) The Director of Development Services or designee shall promptly issue a business license to any applicable business or entity which properly completes the Application For Business Registry and License, pays the proper fee, and is not ineligible for a business license because of prior suspension or revocation of the license, lack of a required state or city permit, or violation of state law or city ordinance.
  - (2) The registration and business license is not transferable nor assignable. Upon the sale, merger or transfer of business ownership, the new owner must register and apply for a new business license within thirty (30) days of the date of transfer or reopening of the business.

- (3) If the Director of Development Services initially refuses to issue a business license, the applicant shall be entitled to a due process hearing before the Chief of Staff concerning the grounds for refusal to issue the license. An applicant can appeal the Chief of Staff's decision to the City Council in the same manner prescribed for an appeal of the Chief of Staff's decision to suspend or revoke a business license.
- (E) *Display of Business License.* Every business and other entity receiving a business license shall prominently display the business license near any other licenses required for the business and issued by a government entity. The business license shall be displayed where customers or visitors entering the establishment will be able to view the business license.

(Ord. No. 5347, 9-7-10; Ord. No. 6630, §2, 12-20-22; Ord. No. 6845, §3, 2-18-25)

**Editor's note**—Ord. No. 6888, §1, adopted June 17, 2025 determines that Ordinance 6427 (Sunset Clause), Ordinance 6625 (extending Sunset Clause), Ordinance 6710 (extending the Sunset Clause), and Ordinance 6820 (extending the Sunset Clause) be amended so that Ordinance 6427 and all amendments to Code Sections ordained or enacted by Ordinance 6427 shall automatically sunset, be repealed and become void on November 30, 2025 unless prior to that time and date the City Council amends this ordinance to repeal or further amend this sunset, repeal and termination section.

### 118.03 Suspension And Revocation Of Business License

- (A) *Grounds That Could Support Suspension or Revocation of Business License.*
- (1) Valid complaints that the business license holder is operating the business in a dangerously unsanitary or unhealthy manner, or in such manner as to unreasonably and adversely affect the peace, health or safety of neighbors or other Fayetteville citizens.
  - (2) The determination that the premises are a fire hazard or otherwise unsafe for occupancy because of violations of building, property maintenance or fire codes.
  - (3) The business is delinquent in submitting Hotel, Motel and Restaurant or city alcohol tax forms or in payment of the city's Hotel, Motel and Restaurant taxes or any other city or state taxes or required fees.
  - (4) The business is being operated in violation of any federal or state law or city ordinance or has had a necessary state or city license suspended or revoked.
  - (5) The business license was procured through fraud or misrepresentation.
- (B) *Notice.* If the Director of Development Services has reason to believe that grounds exist that could justify the suspension or revocation of a business license, the director shall mail a letter to the business mailing address shown on the application by first class mail notifying the business owner of the possible grounds to suspend or revoke the license and setting a due process hearing in not less than five (5) nor more than ten (10) business days. The director shall also telephone the business owner using the business phone number provided on the application (as well as the emergency phone number if the owner cannot be reached on the business phone number) and provide the same information as is within the letter.

**APPLICANT  
REQUEST  
LETTER**

**Masters, Jessica**

---

**From:** Jesse Buchanan <jbuchanancc@gmail.com>  
**Sent:** Friday, February 20, 2026 4:27 PM  
**To:** Masters, Jessica  
**Cc:** Moore, Sarah  
**Subject:** Swarm AERO Appeal

**CAUTION:** This email originated from outside of the City of Fayetteville. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello,

I am following up from our call earlier and submitting my request in writing. I would like to request an appeal to the Board of Adjustments regarding Swarm AERO's authorization to do business in I1 - Heavy Commercial and Light Industrial. According to § 155.06 **Appeals from Staff Interpretations and Actions (B) Appeals to the Board of Adjustment**, these decisions can be appealed by a council member on behalf of a resident of the city. I have CC'ed council member Moore, of Ward 2, so she may do so on my behalf. Please let me know if there is anything else needed from me. Thank you!

-Jesse Buchanan

**Masters, Jessica**

**APPLICANT  
REQUEST  
LETTER**

**From:** Pennington, Blake  
**Sent:** Wednesday, March 25, 2026 9:51 AM  
**To:** Masters, Jessica  
**Subject:** FW: I1 questions of objectionable environmental influences

Jessie, here is the first email we received from Sarah. Kit's memo went out the next day.

**Blake E. Pennington**  
Senior Assistant City Attorney  
City of Fayetteville, Arkansas  
[bpennington@fayetteville-ar.gov](mailto:bpennington@fayetteville-ar.gov)  
Direct: (479) 575-8312

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**From:** Moore, Sarah <sarah.moore@fayetteville-ar.gov>  
**Sent:** Thursday, February 19, 2026 4:44 PM  
**To:** Williams, Kit <kwilliams@fayetteville-ar.gov>; Pennington, Blake <bpennington@fayetteville-ar.gov>  
**Subject:** I1 questions of objectionable environmental influences

Kit and Blake

Good Afternoon.

This passage is in the I1 stating industrial uses that do not produce "objectionable environmental influences". The business, Swarm Aero, that was allowed to be licensed in the city as use unit 22 mfg at 3660 S School has a high likelihood to do this. I am wondering what avenues are available if you think this was allowed to be a by use right given it may be counter to this passage within the UDC for this type of business. Are there re review mechanisms for this license? Are there ways to look further at the business make up for compatibility to what is listed as the type of uses in I1?

I don't think this business is light industrial with the descriptions that I am reading further in the UDC as well for types of business listed.

### **161.30 - District I-1, Heavy Commercial And Light Industrial**

(A)

*Purpose.* The Heavy Commercial District is designed primarily to accommodate certain commercial and light industrial uses which are compatible with one another but are inappropriate in other commercial or industrial districts. The Light Industrial District is designed to group together a wide range of industrial uses, which do not produce objectionable environmental influences in their operation and appearance. The regulations of this district are intended to provide a degree of compatibility between uses permitted in this district and those in nearby residential districts.

Sarah Moore  
Fayetteville City Council, Ward 2  
[sarah.moore@fayetteville-ar.gov](mailto:sarah.moore@fayetteville-ar.gov)  
479.263.6629



Report a concern with SeeClickFix:

<https://www.fayetteville-ar.gov/4233/Report-a-Concern-with-SeeClickFix>

Speak up on City projects:

<https://speakup.fayetteville-ar.gov/>

Voice your feedback to the entire Council and Mayor by emailing:

[agendaitemcomment@fayetteville-ar.gov](mailto:agendaitemcomment@fayetteville-ar.gov)

**From:** Jay Gray <jwgray1000@gmail.com>  
**Sent:** Thursday, April 2, 2026 8:12 AM  
**To:** Caroline Fox <CarolineF@dcius.pro>  
**Subject:** Zoning Concerns

Dear Board of Adjustments -

I am writing in opposition to the administrative decision that Swarm Aero received a zoning classification of "light industrial" for the property at 3660 S. School Ave at the April 6, 2026 meeting, for the following reasons.

1. The administrative zoning process was manipulated, by imposing secrecy on City employees that represent the citizens, with NDAs. This violates Arkansas policy of freedom of information and open meetings. The administrative process was fatally flawed and therefore should be referred to City Council for a full public review.
2. Swarm Aero "use" is not "light industrial." The Uniform Development Code Chapter 162 defines "light industrial" to include activities like engraving cutlery or making toys or "amusements." Autonomous weaponized drones do not fit this definition, and should not be allowed to proceed.
3. This project should not have been waved through as if it were a like-for-like substitution for the prior electronic-component assembler, which was a better fit with light industrial zoning.

I respectfully ask the Board to find that:

1. The Swarm Aero facility was wrongly classified as "light industrial"; and
2. The change-of-use analysis should have been, but apparently was not, done; and
3. The administrative approval of the Swarm Aero facility was procedurally defective because it was wrongly kept secret, and, for that reason, this matter should be referred to City Council for full public review as a properly noticed agenda item, not mere re-approval by staff; and
4. Certify this matter to the City Attorney for a formal opinion, placed on the public record, to justify the use of NDAs apparently to circumvent Arkansas policy of freedom of information and public meetings.

Thank you for your time.

Sincerely,

Jay W. Gray

272 S. Napier Ave

Fayetteville, Arkansas 72701

4/2/2026

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**From:** Ginny Masullo <masullo.ginny1@gmail.com>

**Sent:** Thursday, April 2, 2026 12:04 PM

**To:** peternormanboa@gmail.com; samcasualmail@gmail.com; Caroline Fox <CarolineF@dcius.pro>; erin.a.adkins@gmail.com; jyoung@odysseywa.com

**Subject:** Auguments for why AERO SWARM is not Light industry

Dear Fayetteville Board of Adjustments,

- The repeated claim that everything will be “enclosed,” and therefore fits light industry, just doesn’t fully add up. Manufacturing might happen indoors, but AUS, armed uncrewed vehicles, testing can’t be enclosed. That means noise, safety, and other impacts won’t stay neatly contained inside a building.

- Safety. These aren’t tiny hobby drones — they’re large, experimental aircraft. If one crashes, the potential damage is serious. Testing that kind of equipment near neighborhoods, schools and active civilian air traffic feels like an unnecessary risk. My understanding is that this type of testing is usually done in much more isolated areas.

- Then there’s the practical issue of transportation. Getting large drones from the factory to the airport would mean using public roads, would it not? . That raises obvious concerns about traffic disruptions, safety, and whether roads might need to be closed from time to time.

- Secrecy is another concern. If security requirements lead to restricted access to roads or parts of the airport, that affects the public’s ability to use shared spaces and infrastructure.

- Finally, fuel and energy storage shouldn’t be brushed aside. Aircraft fuel and lithium-ion batteries both come with real fire and explosion risks.

With these concerns I respectfully submit that AERO SWARM is not a light industry.

Ginny Masullo

1837 Ruppel Road

Fayetteville Ar. 72704

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-----Original Message-----

From: Celeste <celestenic@yahoo.com>

Sent: Wednesday, April 1, 2026 5:50 PM

To: erin.a.adkins@gmail.com; Caroline Fox <CarolineF@dcius.pro>; samcasualmail@gmail.com; peternormanboa@gmail.com

Subject: "To Build the largest UAV Swarm on the Planet" Swarm Aeros mission -Zefyron. NO KILLER DRONES IN NWA

To the Board of Adjustments: For decision at the April 6, 2026, meeting, I oppose the administrative grant to Swarm Aero of "light industrial" zoning classification at the 3660 S. School property in Fayetteville. My reasons follow.

1. This weapons manufacturer appears to have manipulated the administrative zoning process by imposing secrecy on City employees with NDAs. This violates Arkansas policy of freedom of information and open meetings. The administrative process was, therefore, fatally flawed and should be referred to City Council for a full public review.

2. Swarm Aero "use" is a galaxy away from "light industrial." The Uniform Development Code Chapter 162 defines "light industrial" to include activities like engraving cutlery or making toys or "amusements." There is nothing whatsoever "amusing" about autonomous weaponized bombers flying around our City skies in swarms.

3. Nor should this project have been waved through as if it were a like-for-like substitution for the prior electronic-component assembler.

It is long past time to shed some sunshine on this outrage. I respectfully ask the Board to find that:

1. The Swarm Aero facility was wrongly classified as "light industrial"; and
2. The change-of-use analysis should have been, but apparently was not, done; and
3. The administrative approval of the Swarm Aero facility was procedurally defective because it was wrongly kept secret, and, for that reason, this matter should be referred to City Council for full public review as a properly noticed agenda item, not mere re-approval by staff; and
4. Certify this matter to the City Attorney for a formal opinion, placed on the public record, to justify the use of NDAs apparently to circumvent Arkansas policy of freedom of information and public meetings.

Thank you for your service.

Obviously I've copy/pasted, since this was clear and concise, but this all was beyond shocking to learn!! I showed up for the quorum court to oppose an IDA for Washington County. I'm SHOCKED this was snuck through without allowing citizens a voice on this. I hope you will see that the zoning doesn't fit and this can move forward to try and get this thing out of here!! I don't want The Natural State to become the War State...even though it seems that may be the trajectory the NWA Council has planned. I will protest this every step of the way any way I can.

Thank you all for listening!,

A very concerned citizen

Celeste Wharry

479-879-2923

[celestenic@yahoo.com](mailto:celestenic@yahoo.com)

(Not sure you need this, but 65 W Ozark Tr. Fay., AR 72701

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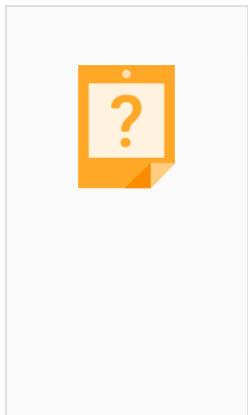
**From:** Necia Parker-Gibson <neciap@gmail.com>

**Sent:** Wednesday, April 1, 2026 5:23 PM

**To:** Caroline Fox <CarolineF@dcius.pro>

**Subject:** Fwd: Swarm Aero shouldn't fly

Swarm Aero is not an appropriate industry for the light industrial category, or for South Fayetteville. It will be water and power intensive where the infrastructure is way behind the growth in population, and no one wants to hear or see military hardware hovering as they come to campus or live and work in the area. Sincerely, Necia Parker-Gibson



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**From:** Virginia Hillis <carriagehouseonthetrail@gmail.com>

**Sent:** Wednesday, April 1, 2026 4:15 PM

**To:** Agenda Item Comment <agendaitemcomment@fayetteville-ar.gov>

**Subject:** Drone manufacturing and AI Data bank

CAUTION: This email originated from outside of the City of Fayetteville. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I want to express my extreme opposition to having our peaceful enlightened city be the home of manufacturing military machines and data storage. This not only makes us vulnerable and a target to who ever the chosen enemy is at the moment it will increase the noise & danger to our streets and skies while increasing the cost for energy and most importantly send the Very wrong distorted message as a city that we believe in violence and war and support it. I don't want to see these nightmarish robots flying overhead the soul purpose would be to kill people ! Not a fit for a peaceful college town in the Natural State.Can you just imagine besides local opposition the tourists and parents of UA students finding out about this crap.

The noise alone would bring on PTSD.Don't ruin our vibe !

Sincerely concerned,Greenway Trail House

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**From:** Frank Head <ccisnw@gmail.com>

**Sent:** Monday, March 30, 2026 4:59 PM

**To:** erin.a.adkins@gmail.com; gavin@grsmithcivilengineering.com; Caroline Fox <CarolineF@dcius.pro>; samcasualmail@gmail.com; peternormanboa@gmail.com

**Subject:** Zoning consideration at April 6 meeting

Dear Board of Adjustments Member:

Re your decision at the April 6, 2026, meeting, I strongly oppose the administrative grant to Swarm Aero of "light industrial" zoning classification at the 3660 S. School property in Fayetteville. My reasons are as follows:

1. This weapons manufacturer appears to have manipulated the administrative zoning process by imposing secrecy on City employees with NDAs. This violates Arkansas policy of freedom of information and open meetings. The administrative process was, therefore, fatally flawed and should be referred to City Council for a full public review.

2. Swarm Aero "use" is a galaxy away from "light industrial." The Uniform Development Code Chapter 162 defines "light industrial" to include activities like engraving cutlery or making toys or "amusements." There is nothing whatsoever "amusing" about autonomous weaponized bombers flying around our City skies in swarms.

3. Nor should this project have been waved through as if it were a like-for-like substitution for the prior electronic-component assembler.

It is long past time to shed some sunshine on this outrage. I respectfully ask the Board to find that:

1. The Swarm Aero facility was wrongly classified as “light industrial”; and
2. The change-of-use analysis should have been, but apparently was not, done; and
3. The administrative approval of the Swarm Aero facility was procedurally defective because it was wrongly kept secret, and, for that reason, this matter should be referred to City Council for full public review as a properly noticed agenda item, not mere re-approval by staff; and
4. Certify this matter to the City Attorney for a formal opinion, placed on the public record, to justify the use of NDAs apparently to circumvent Arkansas policy of freedom of information and public meetings.

Thank you for your service.

Frank W. Head Jr.

402 West ILA Street

Fayetteville AR 72701

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**From:** Phyllis Head <brooklyngirl951@gmail.com>

**Sent:** Monday, March 30, 2026 5:11 PM

**To:** Erin.A.Adkins@gmail.com; gavin@grsmithcivilengineering.com; Caroline Fox <CarolineF@dcius.pro>; samcasualmail@gmail.com; peternormanboa@gmail.com

**Subject:** Please change zoning of Swarm Aero April 6

Dear Board of Adjustments Member:

Re your decision at the April 6, 2026, meeting, I strongly oppose the administrative grant to Swarm Aero of “light industrial” zoning classification at the 3660 S. School property in Fayetteville. My reasons are as follows:

1. This weapons manufacturer appears to have manipulated the administrative zoning process by imposing secrecy on City employees with NDAs. This violates Arkansas policy of freedom of information and open meetings. The administrative process was, therefore, fatally flawed and should be referred to City Council for a full public review.
2. Swarm Aero “use” is a galaxy away from “light industrial.” The Uniform Development Code Chapter 162 defines “light industrial” to include activities like engraving cutlery or making toys or “amusements.” There is nothing whatsoever “amusing” about autonomous weaponized bombers flying around our City skies in swarms.

3. Nor should this project have been waved through as if it were a like-for-like substitution for the prior electronic-component assembler.

It is long past time to shed some sunshine on this outrage. I respectfully ask the Board to find that:

1. The Swarm Aero facility was wrongly classified as “light industrial”; and
2. The change-of-use analysis should have been, but apparently was not, done; and
3. The administrative approval of the Swarm Aero facility was procedurally defective because it was wrongly kept secret, and, for that reason, this matter should be referred to City Council for full public review as a properly noticed agenda item, not mere re-approval by staff; and
4. Certify this matter to the City Attorney for a formal opinion, placed on the public record, to justify the use of NDAs apparently to circumvent Arkansas policy of freedom of information and public meetings.

Thank you for your service.

Phyllis Head  
402 West ILA Street  
Fayetteville AR 72701

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**From:** panneverland1@protonmail.com <panneverland1@protonmail.com>

**Sent:** Monday, March 30, 2026 9:29 PM

**To:** erin.a.adkins@gmail.com; jyoung@odysseywa.com; Caroline Fox <CarolineF@dcius.pro>; samcasualmail@gmail.com; peternormanboa@gmail.com; gavin@grsmithcivilengineering.com

**Subject:** A Message from a Concerned Citizen to the Board of Adjustments in regards to Swarm Aero

Dear Board members,

I am sending this email to you in regards to the upcoming Board of Adjustments meeting that will happen on April 6. On that day, Council member Sarah More and Jesse Buchanan will argue that Swarm Aero does not meet the criteria of a I-1 zoning law and therefore cannot operate under a heavy commercial and light industrial zone.

As a concerned citizen of my home town of Fayetteville, Arkansas, I fully support and back the arguments of Sarah More and Jesse Buchanan. I do not support Swarm Aero, nor do I want said drone weapons manufacturing company being placed in my home town. I hope that the board members will carefully consider the arguments of Sarah More and Jesse Buchanan, and will vote in favor of their arguments and against the zoning of Swarm Aero.

Thank you for your time and consideration and I hope you will make the wise decision of not supporting the I-1 zoning of Swarm Aero.

Sincerely,

Jacob C. Hook

Sent with [Proton Mail](#) secure email.

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**From:** Ginny Masullo <[masullo.ginny1@gmail.com](mailto:masullo.ginny1@gmail.com)>

**Sent:** Monday, March 30, 2026 12:01 PM

**To:** Caroline Fox <[CarolineF@dcius.pro](mailto:CarolineF@dcius.pro)>

**Subject:** April 6 appeal re: Wrongful procedure in Swarm Aero zoning

**Dear Caroline,**

**The approval of Swarm Aero’s zoning raises serious concerns regarding compliance with the Arkansas Open Meetings Act, specifically the requirement that City employees execute nondisclosure agreements.**

**Swarm Aero also does not qualify as “light industrial” under Uniform Development Code Chapter 162, which contemplates substantially different uses.**

**At the April 6, 2026 meeting, the approval of Swarm Aero at 3660 S. School Avenue should be rescinded. Alternatively, the matter should be referred to the City Council for public review and formal action.**

**Additionally, I request that the Board of Adjustment refer this matter to the City Attorney for a formal legal opinion addressing both the zoning classification and the use of nondisclosure agreements, with the opinion entered into the public record.**

**Respectfully,**

**Ginny Masullo  
1837 N. Ruppel Road  
Fayetteville, Arkansas 72704**

**Thank you,**

**Ginny Masullo  
1837 N. Ruppel Road  
Fayetteville Arkansas 72704**

**From:** anita schnee <anitafay@gmail.com>  
**Sent:** Monday, March 30, 2026 8:25 AM  
**To:** Caroline Fox <CarolineF@dcius.pro>  
**Subject:** April 6 Swarm Aero: oppose zoning, secrecy: amicus brief

To the Board of Adjustments:

I am a concerned-citizen attorney living in Fayetteville. For decision at the April 6, 2026, meeting, I oppose the administrative grant to Swarm Aero of “light industrial” zoning classification at the 3660 S. School property in Fayetteville. I attach a brief I have prepared in support of the appeal. This contains the legal citations and analysis in support of my reasoning. Please treat this brief as an “amicus curiae” submission.

In summary, my reasons follow.

1. This weapons manufacturer appears to have manipulated the administrative zoning process by imposing secrecy on City employees with NDAs. This violates Arkansas policy of freedom of information and open meetings. The administrative process was, therefore, fatally flawed and should be referred to City Council for a full public review.

2. Swarm Aero “use” is a galaxy away from “light industrial.” The Uniform Development Code Chapter 162 defines “light industrial” to include activities like engraving cutlery or making toys or “amusements.” There is nothing whatsoever “amusing” about autonomous weaponized bombers flying around our City skies in swarms.

3. Nor should this project have been waved through as if it were a like-for-like substitution for the prior electronic-component assembler.

It is long past time to shed some sunshine on this ill-advised project. I respectfully ask the Board to find that:

1. The Swarm Aero facility was wrongly classified as “light industrial”; and
2. The change-of-use analysis should have been, but apparently was not, done; and
3. The administrative approval of the Swarm Aero facility was procedurally defective because it was wrongly kept secret, and, for that reason, this matter should be referred to City Council for full

public review as a properly noticed agenda item, not mere re-approval by staff; and

4. Certify this matter to the City Attorney for a formal opinion, placed on the public record, to justify the use of NDAs that had the effect of circumventing Arkansas policy of freedom of information and public meetings.

Thank you for your service.

/s/ Anita Schnee

P.O. Box 3484, Fayetteville, AR 72702  
March 30, 2026

~ ~ ~ ~ ~

Anita Schnee  
Attorney at Law  
479.587.0262  
P.O. Box 3484  
Fayetteville, AR 72702-3484

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**From:** Pattie Williams <zipattie@me.com>  
**Sent:** Sunday, March 29, 2026 2:20 PM

**To:** Caroline Fox <CarolineF@dcius.pro>

**Subject:** April 6 Swarm Aero: oppose zoning classification and secrecy.

March 29, 2026

To the Board of Adjustments: For decision at the April 6, 2026, meeting, I oppose the administrative grant to Swarm Aero of “light industrial” zoning classification at the 3660 S. School property in Fayetteville. My reasons follow.

1. This weapons manufacturer appears to have manipulated the administrative zoning process by imposing secrecy on City employees with NDAs. This violates Arkansas policy of freedom of information and open meetings. The administrative process was, therefore, fatally flawed and should be referred to City Council for a full public review.

2. Swarm Aero “use” is a galaxy away from “light industrial.” The Uniform Development Code Chapter 162 defines “light industrial” to include activities like engraving cutlery or making toys or “amusements.” There is nothing whatsoever “amusing” about autonomous weaponized bombers flying around our city skies in swarms.

3. Nor should this project have been waved through as if it were a like-for-like substitution for the prior electronic-component assembler.

It is long past time to shed some sunlight on this outrage. I respectfully ask the Board to find that:

1. The Swarm Aero facility was wrongly classified as “light industrial”; and

2. The change-of-use analysis should have been, but was not, done; and

3. The administrative approval of the Swarm Aero facility was procedurally defective because it was wrongly kept secret, and, for that reason, this matter should be referred to City Council for full public review as a properly noticed agenda item, not mere re-approval by staff; and

4. Certify this matter to the City Attorney for a formal opinion, placed on the public record, to justify the use of NDAs to circumvent Arkansas policy of freedom of information and public meetings.

Thank you for your service.

Pattie Williams

1008 W. Grand Blvd., Unit 328  
Fayetteville, Arkansas 72704

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**From:** Bayard Blain <bayardguitars@gmail.com>  
**Sent:** Sunday, March 29, 2026 2:03 PM  
**To:** Caroline Fox <CarolineF@dcius.pro>  
**Subject:** Swarm aero

Hello I'm a citizen of Fayetteville working to express my concerns.

This weapons manufacturer appears to have manipulated the administrative zoning process by imposing secrecy on City employees with NDAs. This violates Arkansas policy of freedom of information and open meetings. The administrative process was, therefore, fatally flawed and should be referred to City Council for a full public review.

2. Swarm Aero "use" is a galaxy away from "light industrial." The Uniform Development Code Chapter 162 defines "light industrial" to include activities like engraving cutlery or making toys or "amusements." There is nothing whatsoever "amusing" about autonomous weaponized bombers flying around our City skies in swarms.

3. Nor should this project have been waved through as if it were a like-for-like substitution for the prior electronic-component assembler.

It is long past time to shed some sunlight on this outrage. I respectfully ask the Board to find that:

1. The Swarm Aero facility was wrongly classified as "light industrial"; and
2. The change-of-use analysis should have been, but was not, done; and
3. The administrative approval of the Swarm Aero facility was procedurally defective because it was wrongly kept secret, and, for that reason, this matter should be referred to City Council for full public review as a properly noticed agenda item, not mere re-approval by staff; and
4. Certify this matter to the City Attorney for a formal opinion, placed on the public record, to justify the use of NDAs to circumvent Arkansas policy of freedom of information and public meetings.

Thank you for your service.

Bayard Blain

19 E 4th

Fayetteville AR

72701



Request reported to City of Fayetteville - Development Services - Business Licenses



### Business Licenses

3660 S School Ave Fayetteville, AR, 72701, USA

I am concerned about the zoning and licensure pertaining to the Swarm Aero research and development center as it directly impacts the health and wellbeing of our community in Fayetteville. In housing an AI powered military industrial drone manufacturing company, our community is being endangered physically, environmentally, economically, and morally. In this report, I am seeking transparency from the city legislature on this project.

**From:** Curth, Jonathan <jcurth@fayetteville-ar.gov>  
**Sent:** Tuesday, February 17, 2026 4:07 PM  
**To:** Moore, Sarah <sarah.moore@fayetteville-ar.gov>  
**Cc:** Macedo, Keith <kmacedo@fayetteville-ar.gov>  
**Subject:** RE: Swarm Aero

Sarah,

The process for Swarm Aero was consistent with other commercial business license applications in Fayetteville, with reviews from Planning and the Fire Marshal for zoning and fire protection respectively.

Searching “3660 S. School Ave” or “BLC-1079-2025” will bring up the license information in [our online portal](#), although that may list the NAICS (North American Industry Classification System) code and not the local zoning use unit. The Use Unit for this license is 22, Manufacturing. This is permitted by-right in the I-1, Heavy Commercial and Light Industrial zoning district.

Thanks,

**Jonathan Curth, AICP**

Development Services Director  
Development Services Department  
City of Fayetteville, Arkansas  
479.575.8308

[jcurth@fayetteville-ar.gov](mailto:jcurth@fayetteville-ar.gov)

[Website](#) | [Facebook](#) | [Twitter](#) | [Youtube](#)

**From:** Moore, Sarah <[sarah.moore@fayetteville-ar.gov](mailto:sarah.moore@fayetteville-ar.gov)>  
**Sent:** Tuesday, February 17, 2026 1:48 PM  
**To:** Curth, Jonathan <[jcurth@fayetteville-ar.gov](mailto:jcurth@fayetteville-ar.gov)>  
**Cc:** Macedo, Keith <[kmacedo@fayetteville-ar.gov](mailto:kmacedo@fayetteville-ar.gov)>  
**Subject:** Re: Swarm Aero

Thanks Jonathan. I was trying to understand better what the process was when they applied for being a business in Fayetteville. If I look them up in the portal, will I be able to see all the details for that business?

Like what use unit they are for the zoning for that space....

Sarah Moore

Fayetteville City Council, Ward 2

[sarah.moore@fayetteville-ar.gov](mailto:sarah.moore@fayetteville-ar.gov)

479.263.6629



Report a concern with SeeClickFix:

<https://www.fayetteville-ar.gov/4233/Report-a-Concern-with-SeeClickFix>

Speak up on City projects:

<https://speakup.fayetteville-ar.gov/>

Voice your feedback to the entire Council and Mayor by emailing:

[agendaitemcomment@fayetteville-ar.gov](mailto:agendaitemcomment@fayetteville-ar.gov)

**From:** Curth, Jonathan <[jcurth@fayetteville-ar.gov](mailto:jcurth@fayetteville-ar.gov)>  
**Date:** Tuesday, February 17, 2026 at 10:15 AM  
**To:** Moore, Sarah <[sarah.moore@fayetteville-ar.gov](mailto:sarah.moore@fayetteville-ar.gov)>

**Cc:** Macedo, Keith <[kmacedo@fayetteville-ar.gov](mailto:kmacedo@fayetteville-ar.gov)>

**Subject:** Swarm Aero

Sarah,

Thanks for the message this morning. Development Services does not participate in all stages of business recruitment and I am uncertain what level of that may have occurred with Swarm Aero. Our role is generally limited to the permitting and licensing side. For Swarm Aero, they applied for a business license in mid-December and several sign permits soon thereafter. All have been issued.

Otherwise, I am not familiar with any standard we enforce regarding testing or interaction of the business with airspace or the airport, but have copied Keith here in case he has something to add.

**Jonathan Curth, AICP**

Development Services Director

Development Services Department

City of Fayetteville, Arkansas

479.575.8308

[jcurth@fayetteville-ar.gov](mailto:jcurth@fayetteville-ar.gov)

[Website](#) | [Facebook](#) | [Twitter](#) | [Youtube](#)

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**From:** Curth, Jonathan <[jcurth@fayetteville-ar.gov](mailto:jcurth@fayetteville-ar.gov)>

**Sent:** Friday, March 20, 2026 8:32 AM

**To:** Williams, Kit <[kwilliams@fayetteville-ar.gov](mailto:kwilliams@fayetteville-ar.gov)>; Jones, D'Andre <[dandre.jones@fayetteville-ar.gov](mailto:dandre.jones@fayetteville-ar.gov)>; Stafford, Bob <[bob.stafford@fayetteville-ar.gov](mailto:bob.stafford@fayetteville-ar.gov)>; Macedo, Keith <[kmacedo@fayetteville-ar.gov](mailto:kmacedo@fayetteville-ar.gov)>

**Cc:** Pennington, Blake <[bpennington@fayetteville-ar.gov](mailto:bpennington@fayetteville-ar.gov)>; Hungate, Hannah <[hhungate@fayetteville-ar.gov](mailto:hhungate@fayetteville-ar.gov)>; Masters, Jessica <[jmasters@fayetteville-ar.gov](mailto:jmasters@fayetteville-ar.gov)>

**Subject:** RE: Attached Image

All,

As a follow-up on the below, please be advised that Fayetteville's Board of Adjustment will be considering whether staff made the appropriate zoning designation of Swarm Aero at the upcoming April 6<sup>th</sup> meeting. How a business is designated determines if it is permitted in the underlying zoning district. This is a resident appeal of staff's determination that Swarm Aero is a manufacturing use, which is permitted by-right in I-1, Heavy Commercial and Light Industrial zoning district.

Thanks,

**Jonathan Curth, AICP**

Development Services Director

Development Services Department

City of Fayetteville, Arkansas

479.575.8308

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**From:** Williams, Kit <[kwilliams@fayetteville-ar.gov](mailto:kwilliams@fayetteville-ar.gov)>

**Sent:** Thursday, March 19, 2026 3:55 PM

**To:** Jones, D'Andre <[dandre.jones@fayetteville-ar.gov](mailto:dandre.jones@fayetteville-ar.gov)>; Stafford, Bob <[bob.stafford@fayetteville-ar.gov](mailto:bob.stafford@fayetteville-ar.gov)>; Macedo, Keith <[kmacedo@fayetteville-ar.gov](mailto:kmacedo@fayetteville-ar.gov)>; Curth, Jonathan <[jcurth@fayetteville-ar.gov](mailto:jcurth@fayetteville-ar.gov)>

**Cc:** Pennington, Blake <[bpennington@fayetteville-ar.gov](mailto:bpennington@fayetteville-ar.gov)>; Hungate, Hannah <[hhungate@fayetteville-ar.gov](mailto:hhungate@fayetteville-ar.gov)>

**Subject:** Fw: Attached Image

D'Andre and Bob,

Please find attached my memo answering D'Andre's questions presented to him by Mr. Gargas.

Kit Williams

City Attorney

City of Fayetteville AR

479-575-8313