**Planning & Zoning Meeting**

**Bull Shoals City Hall**

**August 13, 2025**

**6PM**

Chairman Rick called the meeting to order at 6pm.

Everyone stood and recited the Pledge of Allegiance

Attendance: Rick Anderson, Scott Scholes, Tim Koenig, John Stauffer, Keith Hilburn, Dave Higgins, Merle Fawcett, Scott Galiart

Rick asked for the approval of the July minutes. Merle made the motion to accept the minutes and was seconded by Keith. All in favor.

New Business. A Mr. Pomfret from Bull Shoals is looking to build a 20 x 30 foot garage that will encroach on his setback by five feet. Mr. Pomfret spoke about the building. He wants to use the building for storage. He said he checked with the neighbors and they were all fine with it. Dave said that he was aware of it and said that he was going to store a vehicle in it. Scott asked if the neighbor who is to the south of the lot approved this. Mr. Pomfret said everyone has been ok with it. Scott asked him if needed to build a driveway to this building and Mr. Pomfret said no he would not need to do that. Just put some gravel down in certain areas. Scott had a few other questions, but all was in order for the building to be built. Keith also suggested that the permission from the neighbors should be notarized. In the future you will be covered down the road. Rick said that it would be added to the file. Rick asked if he was going to put an approach in front of the building. Mr. Pomfret said he was going to do that. He was going to add a patio down the road. Really asking for 20 x 50. We will modify that. Citizen comments were asked for. Mike Howell stated that the P&Z Committee doesn’t need to know everything about how a citizen uses their property. Rick asked for a motion to approve this variance at 105 Edgewood Drive. Dave made a motion to accept this variance and was seconded by Scott. All approved.

Mr. Salza spoke as the new owner of the Bel Arco property. He brought his family with him. Mr. Salza has written a resolution to the Committee. This came about after a meeting with himself, the mayor, and Rick. The meeting had to do was about operating within the rules. He thought he was operating within the rules. Rick asked him to come up with a plan. From his perspective he would like it to operate it without a zoning change. If it were to change to residential then it would be able to operate it as a resort. His plan is to operate it as a resort. To make the rooms as nice as possible. To make the grounds and property as nice as possible. He said a number of people has reached out to him, but not any of the neighbors. He is hearing a lot of talk, but no concerns have been raised to him. He wants to do the best for the property and the city. He doesn’t like all of the chatter he is hearing. He wants to run a successful business. That is his main goal. He has had investors come into town and meet with him. He has a guy who wants to partner on films. He wants to draw people in.

Rick said that you have inherited a property that has produced some problems that have plagued the city for years. We are working to put an end to the problems. We are not looking to rezone the property. Rick asked if the commissioners have any other questions for the owner. Dave was impressed with the owner and thanked him for working with the city to make it the best that it can be. Scott said he is all for it to be a resort, but it is not resort-ready now. What are you going to do to make it ready? Mr. Salza said that he has a few short-term rentals. A few contractors that come into town for a few days and leave. Scott said that if the property isn’t a resort then it is a residential. What are you going to do in the meantime to create a resort? The owner asked for a clear definition of what a resort is. Scott looked up the definition of a resort. C4 property. Does not say it is a multiuse. For tourist accommodations. The owner asked what that means. Keith cited that it means for a vacation or a recreation purpose. The owner asked that you are asking me to count how many days a person stays…counting cars. Please show me that they can’t be there starting on the 31st day. The owner stated that he doesn’t understand the argument.

The State of Arkansas says that to collect room taxes is anything under 30 days. After 30 days then it becomes a full time occupation and not a tourist. State of Arkansas does not state tourist…just focuses on length of stay. Rick said this conversation needs to stop now. We need to talk about the resolution that Mr. Salza has put forth. Dave had a comment saying that we cannot rely on 25 year old city ordinances. We need to work with business owners. We need to make it work. Mr. Salza was sent a letter from the city and to the resort owners saying if you are not following the rules, to stop all operations right now. Mr. Salza is looking for a resolution.

Rick said he is moving on to City Council member’s comments. Mike Howell stated business plans and outlines are not for Planning & Zoning members or the committee. It is our job as representatives of the community to make sure he isn’t doing anything outside of the law. We have loopholes here. We need to fix these loopholes. The main point are the rooms following Arkansas rules and codes. Let us not worry about what he is doing with the property, but how the property is benefiting the community. Most people in town were just upset in the past about resort owners pursuing HUD housing and low income housing. But we need safety to be our main priority. Keeping our community safe. We don’t slumlords just in it to make money. We need to clean up some ordinances. Forget about timelines and business plans. Nancy Jo Pucci, another City Council member spoke next. The letter was not friendly. She had heard from some resort owners that it was hostile. We are in a bad state with housing within Arkansas. People can put up extra housing on their property without following many rules. Keith asked for a code number. She did not know. The state rules overrule anything from the city rules. Anyone can do this on their property. Very eye-opening. Rick asked Nancy Jo if the Council was not asked to send out the letter? It was approved by the Council.

Council Member Ken Hutchinson spoke next. He feels the letter and his tone has always been positive. He does not believe that this city Council is not against businesses in Bull Shoals. You are inheriting a bad situation. The last gentleman who spoke about owning the property and it was a joke. He had no clear plan. This is why some people are negative in this town. It isn’t your fault, but that is why they are feeling that way. People are poorly informed here. We need more resort owner meetings. It was a good meeting that we had and everyone felt that we should have another meeting of the resort owners. Everyone wants what is best for the city, but everyone has a different plan. We need to meet in the middle. We have to enforce the codes that we have. We have to clean some of these ordinances up. But we are all trying to do so much at once. Sometimes it doesn’t work correctly. Most resort owners do not want long-term rentals. It is hard to make a living where over the winter not many people will be here. We have to figure out a way to do things together. We need everyone to win a little and to maybe lose a little. We do not want to write an ordinance for just one business or one person.

Rick asked for any other Council members. Mayor Stahlman spoke next. Why hasn’t Bel Arco been given a variance so that he can rent out rooms to anyone who is coming to him? This will help him succeed. Rick said that it wouldn’t be a variance, but a conditional use permit. We have not gotten to that yet. Tonight we are discussing his resolution. Citizen comments were opened up. Merle asked the owner if anyone has approached him about Section 8 housing. Mr. Salza said that no one had, but that as an owner you cannot turn anyone away due to low income. Rocky Garner spoke about the past owners. He lives near Bel Arco. People who stay there are speeding up and down the road. He retired here to enjoy the fishing and the lake. Resorts are short-term rentals not long-term. We used to have fishing tournaments, but now we don’t have places to stay. Let’s get the motel up and running and we need the gas station going again. Sewer lines need to be fixed.

Mike Reynolds spoke next. He owns three properties here in town. One is next to Bel Arco. The Lake is a huge attraction. We need three things…gas, food, and lodging. What do we have? Some restaurants only open a short time. No gas and little lodging. I want to encourage this town to help each other. I escaped from California. Terrible regulations, red tape. Too many rules. Linda Fawcett spoke next. Lives near Bel Arco. The letter to the resorts was passed by the Council and sent out. In January at the P&Z meeting, the questions arose about a possible resolution for low-income housing and it was voted down. She is offended by this resolution. That it implies that we don’t know what we are doing and that we cannot enforce any of our rules. There are things in this resolution that I do not want to see passed. I hope the committee votes this resolution down. We are trying to bring our town back.

A woman spoke up as a fellow resort owner. She was at the resort owner meeting. I left it feeling encouraged. That we were going to work together to be successful. The main thing is the offseason is the key. You can’t operate a resort when no one is here during the offseason. There are short…long-term stays usually one or two months. Keep supporting the resorts and make this work. The offseason is coming up soon. Let us talk again with fellow resort owners. We are not in competition. We are in this together. Table Rock Lake is not a place people want to go to…it is too busy. We need more rooms. People want to come here and I am excited to send people to Bel Arco.

Paula Reynolds spoke next. We should propose a business plan for one, five and ten year markers.

Commissioner’s discussion. John Stauffer spoke next. We are all working for you and we want you to succeed. It has been a long, nightmarish situation. We want to work with you, Mr. Salza. Keith spoke next. We spoke about the fact that there are several tournaments here, but the people don’t stay here. He wants the best for everyone here. We want to bring the tourists back. We need more advertising. Scott spoke next. He wants Bel Arco to succeed. He didn’t like the letter to the resort owners with the threats in it. We can only recommend to the City Council, we do not enact policy. I am a businessman…been one most of my life. Would like to see Bel Arco’s business plan. Mike Howell spoke up saying that only our City Inspector needs to see it and approve it. Come to us and ask you for what you need. If it is a conditional use permit then we will get you that.

Rick brought up the resolution. There are a number of things in this resolution that bother me. We never said we would rezone you. Only if you were going to cease to be a resort would you need to reapply to the city. There was nothing threatening about the letter. I am going to make a motion that the Bull Shoals Planning & Zoning Commission that this letter is asking for a variance request. That we decline this resolution on the following grounds. According to the State Law, Code 1456416, this Commission shall not permit as a variance any use in a zone not permitted by the ordinance. This resolution is detrimental to the city of Bull Shoals planning codes and will set a dangerous precedent in the future. This will have a minimal benefit and is outweighed by the damage to the existing neighborhoods. It jeopardizes the future the growth and planning of the city. Do I have a second? Keith seconded it. No further discussion on the resolution. Rick said it is not following our protocols. Dave asked about the resolution. Rick said that Mr. Salza came up with this resolution on his own. Roll call…everyone said yes except for Dave Higgins. Motion carried.

Rick moved on to the next step. A citizen filed a complaint against a business in town regarding a parking situation. We have heard from the owner. The owners live on the property. We don’t have an ordinance for this complaint. This letter was sent to the city attorney. This was about fabricating and manufacturing. The fabrication in question is a custom fabrication for an automobile. The city attorney said this was not something to deal with and to leave it alone. Everything in the letter was dispelled so there is nothing more to be done.

The letter that was sent out to C4 owners. Mayor has asked to hold another stakeholders meeting. Rick will write another letter and set up another meeting. We have heard from a couple of resorts that they would like to hold a meeting. There is a limit to what the city can do for you. You should set up a resort owner’s committee on your own. Our zoning codes are quite clear. Would you like to hold a special meeting before the next meeting of Planning & Zoning? The resort owners said yes. Dave suggested a quarterly meeting of the stakeholders. The owners were happy to do that. It should not be tied to P&Z. Leave the government out of it. It is the responsibility of the resorts to get together and advertise and promote their businesses here. Mike Howell has worked hard to promote the city throughout the state. Every business needs to advertise themselves. Tim suggested the Chamber of Commerce should get behind this initiative. Keith also suggested getting the Chamber involved. Mr. Hutchinson also said the Chamber should do this. Linda Masters stated that at the last Council meeting the letter suggested that the resorts should come to P&Z meetings. Rick clarified that it was meant that only those resorts who aren’t currently operating as a resort now should come forward with their plans. To those not following the rules the police department will issue citations and the courts will handle the fines.

Rick moved on to C2 rental properties. Rick want to make a clarification regarding a gas station/convenience store. What about food trucks? We mentioned drive-ins and restaurants. We need to include food trucks within this ordinance. Merle wants the trucks to be inspected. It was stated that the health inspectors inspect the trucks. We don’t have the authority to do that. They need to buy a city license and if there are complaints we can pull the license. But outside of that there is nothing we can do. Merle asked if we can make a requirement that they are inspected more closely. We can add that to the city ordinance that they have that health inspection certification. Rick wants food trucks added to the C2 ordinance. Keith asked how that works? Rick said that a food truck gets inspected by the health department and gets a license from the city. Rick said that currently we don’t have that regulation. Rick made a motion to add food trucks to C2 zoning. Dave seconded. Merle still didn’t like the idea of only the health inspector okaying a food truck. We cannot control every restaurant or truck. Sales tax will be collected. Mr. Hutchinson spoke on the fact that some days no restaurants are not open in town. We will not allow some unsanitary food truck to operate here. Rick said we have to leave it to the state. You take that risk no matter where you eat. All were in favor.

Rick said he wants to discuss at the next meeting. C1 and C2 and driveways. It states that all driveways have paved driveways. See if we can allow gravel driveways. But there needs to be some stipulations to this. We need to change our wording on this. Wants to have a discussion at the next meeting. Might be easier to just pass a new ordinance.

Rick asked the building inspector to speak. Danny Caldwell spoke about the resorts. He would suggest that all of the resort get together and talk about a percentage of their rooms being long-term rentals. We could work together to decide on a percentage of rooms for this. Danny said that food trucks are good and bad. If we can get the resorts going then food trucks would be a good thing. The one in Flippin is very good. Danny asked about the hot dog stand in town. How are they allowed to operate as they are doing? Rick said that it is a state healthy department issue. Not a city issue. Tim mentioned that the owner told him that he was moving to a building in Mountain Home. But that was in January and he is still here. Scott asked about the food trucks. Do they have any say a food truck operating here. Mike Howell said that it is all done at the state level. If they are approved then we can’t do much. Danny said there is a state code on plumbing we all have to go by. Everything else is left up in the air.

Old Business…tiny homes. Dave said that he drove to Springdale yesterday and saw new tiny homes there. More of them are springing up in Northwest Arkansas. Keith said we need them here. Some people are interested in building them.

Mike Howell asked Rick for a copy of the letter and gave it to Scott to read. He asked Scott to pick out any threatening language in the letter. It was a well written letter that was not threatening. Scott read about the fines being assessed. Could be $200 a day. That is directly right out of our codebook. That is a factual statement. This is only for those who will not comply.

Dave Higgins gave his resignation to the Commission. It was accepted. This meeting will be his last meeting. Everyone applauded. Rick thanked Dave for all of his help.

Keith made the motion to adjourn and was seconded by Scott. All in favor. Meeting adjourned at 7:50pm.

Respectfully Submitted,

Tim Koenig

Secretary