

Planning & Zoning Commission

April 8, 2026

6:00 P.M.

Bull Shoals City Hall

Meeting was opened by Chairman Rick Anderson at 6:00 p.m. Pledge of Allegiance was recited by all.

Commissioner Attendance. Scott Scholes, John Stauffer, Rick Anderson, Keith Hilburn, Merle Fawcett and Scott Galliard.

Approval of Minutes. Minutes from the March meeting were reviewed. Merle made a motion to approve the minutes, Scott S. seconded the motion. Motion was unanimously passed to approve the March minutes.

New Business – Bel Arco Letter. Rick asked if anyone was at the meeting to speak on behalf of Bel Arco. No one stepped forward. The Council and Commission were sent an email from owner Mike Salza earlier in the day, opposing the written violation letter he received. The Commission was looking for a verbal conversation with the owners, not more email responses. Rick pointed out the date for responding to the violation letter was coming up. The Commission needs to decide about sending a citation to Bel Arco.

Discussion was had about the different types of long term apartment rentals occurring at Bel Arco. Local residents were telling people in town that they “live there now”. P&Z had been asked to get long term apartment rentals in C4 zones under control. Keith voted to send a citation and referenced the petition they received with 58 signatures from tax paying citizens living in the area. People want the codes enforced in C4 zones. Also property values, increased traffic and not enough parking were concerns. Ten months had passed since initiating the conversation.

Councilmen were invited to weigh in whether to move forward with the violation. Mike Howell said if there are ordinance violations that need to be addressed, he’d like to see something happen. We’ve been chasing our tail for ten months on the issue and there are reportedly people living there. Mike clarified he was not saying we don’t want our resorts to survive, but there’s a difference between snowbirding for a few months, or waiting for your house to be built, versus moving in furniture and planting gardens. We don’t have any

resort representatives at the meeting to talk with us. That is not coming to the table for solutions. Sending emails is not sufficient and the City has ordinances to enforce.

Kevin Hutchison said he found the email response from Bel Arco insulting. Every letter Kevin receives from any of the resort owners, especially Mike, talked about getting together to work something out and be part of the solution. Then they don't show up. It's disingenuous. After reading a 10 minute long email about all the things that Mike's been wronged by, in the end it's just nonsense. It's tiresome when someone writes a lengthy email saying how sincere they are, how willing they are to help the city and then they don't show up. He's also tired of people telling him how to do his job and what he should be doing. His job is not that complicated. He's supposed to look out for the people of this city from every facet. Look out for their tax money, look out for what needs to be done. And that's what P&Z is doing. P&Z comes here every month with all kinds of efforts to help the people of this city. They don't need somebody telling them "this is what your job is". They know what their job is. Kevin found that part of Mike's letter extremely insulting. Bottom line is, if they want to come to the table and change things like they say, then why aren't they here?

Rick said Bel Arco was given a formal request to come to this meeting. Kevin said the owner is making it sound like Rick is summoning him. Keith pointed out P&Z has invited Mike to several meetings with all the resorts. Only one resort has regularly attended. They've already addressed traveling nurses, construction crews, etc. We're after intent.

Rick said our city attorney said many times at council meetings that resorts should "act like a resort". Advertising for unfurnished apartments with deposits is not being a resort. Although they have taken down most of their ads, Bel Arco still had one ad up that evening on Facebook Marketplace for a studio, one-bath, apartment. This is not what our resorts are for. If we want to keep this a tourist town, we need to keep the resorts as resorts.

Scott S. thinks part of the problem is everyone has ignored our ordinances for 25 years. Now we want to enforce ordinances, our permitting process, we have building inspectors, we have everything a city needs. Are we going to enforce them or not? How the heck did we let things go on like this for 25 years? We need to get back to doing what is in the code books and the only way to do that is enforce it. We need to get the word out to the public. We want people to understand that there are rules. We need to make people aware they may be in violation and go from there. As far as Bel Arco, we've already issued them a letter and there are procedures to go along with that. We discussed this ten months ago.

We have this ability to compromise but the resort refused to come to the table. Nothing ever happened. Scott's opinion was that now it's time for action.

The Mayor said that he responded to Mike's letter and invited the council members and P&Z to attend a meeting with all the resort owners. In tonight's meeting we have P&Z and the majority of the council here, yet we don't have resort owners. According to Mike they all met on Monday night. Why aren't they here?

Citizen Mary Serrano stated it's because they aren't taking this seriously. Rick agreed. Rick said perhaps it's because P&Z is given permission but then get stopped, and it's been happening for the last 10 months. Through the council, P&Z sent out the first letter announcing enforcement of codes 8 months ago. Then things were put on hold. That gave the resorts the green light to continue doing as they wished. The power to enforce the rules had been stopped. The public tells us they want the rules to be followed. This commission has decided that we need to enforce our rules.

Chief of Police Babb had a question. He notes there have been lawsuits against the city in the past from resorts where this same type of enforcement was tried and the city lost. As a citizen that has moved here and does not want to see the city go through more litigation. He feels we can't afford much more bad publicity and he's hoping to get things turned around. He also believes that Bel Arco is not trying to bring in Section 8 housing. Citizens keep asking him if he's heard about the Section 8 housing at Bel Arco. They can't. He said the practice of putting ads on Zillow and similar sites serves a greater purpose than trying to get an apartment listing. Zillow is for apartments and houses. The reason to use those sites is because there is a criminal background check you can access.

Rick said he only knows of two places in Bull Shoals that accept vouchers at this time. Right now we have a code that is set up for resorts and apartment usage is not part of that code. It's very clearly spelled out. Our codes are simple. It's not allowed. The fact is they're doing long term apartment rentals. I understand that they need to advertise but it should be done properly on vacation sites. If there isn't one, maybe they should create one. We're not here to tell them how to run their business. We're here to tell them what they're doing wrong outside the codes for C4 resorts.

Scott S. said P&Z has heard that residents themselves are likely to bring a lawsuit against the city for not enforcing the ordinances. You're going to get it from one side or the other side if you don't take action. It's time to stop talking and take some action.

Russ states P&Z members are not experts. He's read the 2001 codes and it's vague. He disagrees with Rick about what the attorney said. Bel Arco was a disaster 10 years ago. We have new buyers who are cleaning it up now and hosting tournaments. He absolutely believes they are operating as a resort because of what the attorney said. We're doing a disfavor to a new business owner. Bel Arco has been beat up and not welcomed. Some dispute on these facts went back and forth for awhile. Russ accused Rick of being conflicted because of where he lives. Keith tries to intervene on Rick's behalf before Russ loudly accused Rick of "hating" Bel Arco.

Russ asked for a show of hands for who thinks Bel Arco is NOT operating as a resort. All Commissioners at the table but one raised their hand. Many in the audience raised hands as well. Scott Gallart said if we can't enforce the ordinances then change them.

Merle observed that Bel Arco took some rental units, changed them into apartments and some are advertised as long term living, both furnished and unfurnished.

Rick commented to Russ that P&Z has an opinion, Russ has an opinion, the public has an opinion, but P&Z has been interpreting the intent of the code. If the council disagrees, then bring it up to change things in your own meetings.

Mary Serrano said if a rental place has a sign that does not say resort, then it is not a resort. She lives near Lakeside Dreams. A new owner came in and the people living there should have been asked to move. This has been going on for many years. They move in with their own furniture. There were broken down vehicles sitting around. Lakeside Dreams is supposed to be a C4 resort.

Rick wanted to clarify to Russ that P&Z is not picking on Bel Arco., There are two other resorts have been given violation letters. One has actually received a citation. The constant echo that Rick is personally picking on Bel Arco is a falsehood. Bel Arco is breaking the long term apartment rental rule, the neighborhood wants answers, but the resort ignores their requests. How that is Rick's fault seems illogical. Rick believes P&Z is going to move forward with what we need to do and if the council doesn't like it, please at your next meeting tell us to stop. I would like to hear a full vote from the vote from the council saying that P&Z is doing wrong and should not be enforcing any codes.

Scott G. stated that he has never checked into a resort with his washer and dryer. A swing set and all of that. Another citizen said they're sure they never had a background check done before staying at a resort. That seems somewhat intrusive.

The Mayor repeated again that he invited the resorts and council to be at this meeting so we can resolve some issues and work with the resort owners. How can we help them survive throughout the year? He talked about the 2% bed tax the state collects. The city does not receive a dime or penny of that 2%. If the resort is doing a monthly agreement with someone, they collect a 2% on that month. He wants to propose that the resort owners charge \$1 a day on rentals to go towards a designated fund to promote the resorts. The second month, third etc., money would also go into a special fund just for advertising. Is that something that might be talked about? These are things P&Z, city council and resorts could be working on.

Rick reminded everyone that P&Z tried to help and offered temporary use permits for Bel Arco. They rejected it because they want all their rooms long term. Government does not belong in small business. Chamber of Commerce should be doing their job and help them create their own association and advertising. Bull Shoals is only at 12.5% hotel tax. Other places are 17%+. Our job is not to help them create a tax base. If the chamber said they needed a government entity to collect the tax, then the city can get involved. We do have tools to help the resorts via use permits but they don't want our help.

Kevin talked about a meeting he and Mike Howell attended last spring. There were a bunch of resorts there. The gentleman who owns Chandlers Inn said he needed to have one or two units that can be rented while he rebuilds. He needed just enough to make his bank payment. Everyone thought that was a great idea. If a resort needed two or three rooms rented out long term while they remodel, it might be an option. Most people in the room agreed, but there were three or four resorts there who were vehement about NOT wanting long term rentals. It was an option for a resort that was remodeling. BUT here is the difference: These owners were in the room. They showed up. We had this conversation nine months ago, and yet it still goes nowhere. This whole "as long as one bed is available it's a resort" is just nonsense. He didn't care what the lawyer said. Anybody that doesn't see that just doesn't want to. We had the answer to this problem nine months ago. All the players that wanted to play came into the room and talked about it. We all agreed that was some kind of solution. Nine months later nothing has happened.

Signs: P&Z was going to start cleaning up the city and red tag closed businesses. If the business is not being sold, the sign has to come down. Another sign was brought to P&Z's attention. No permit had been pulled and according to the city ordinances, this sign had five violations. Earlier this year, the Board of Adjustment had a variance hearing for a sign with three violations. They voted to enforce the sign ordinance and the applicants cleaned it up and are rebuilding to the city codes. P&Z can't pick and choose. We have to be

willing to take a stand when someone else is rebuilding their sign under the same circumstances.

Scott S. said we basically voted no variances when the first gentleman came for his hearing. We have a sign ordinance and we have a situation with signs in this town. People think they're ugly. They're too big.

Rick told the Mayor that according to the city ordinance, Gary's sign specs and his grandfathering were negated because he replaced more than 50% of his sign. That's why he should have come in to get a new permit. As it turns out, billboards are not allowed where that sign is. It's part of a sign ordinance someone else created back in 2020. There were five different codes the sign was breaking. Because it's coming up for discussion at your next city council meeting, Rick wants to suspend all city sign enforcement for the time being. He also pointed out that when you drive through Flippin, that town probably has just as many closed buildings as Bull Shoals. The only difference is you don't notice because there are no signs out front saying it used to be a business and now it's closed.

The Mayor said the councilmen have a say and they are the ones who will be voting on it at their next meeting.

Clarification of C2 language. In C2 we have some language that talks about single family dwellings in commercial zones. This is under Permitted Uses in our C2 codes. The problem with this wording is residential buildings are not allowed in commercial zones. Rick understood what the intent of the code was but this doesn't quite spell it out. In our commercial zones a proprietor is allowed to have a residence on the property if they own the business. Our C1 language states we can do that, presumably they were referring to single family residences for the owner of the building. But it doesn't quite say that. We need to come up with some new language or make it clear as to why we have a statement on single family dwellings in our commercial zone without it referring back to C1 which allows the residences of the business owners.

Scott S. asked if we can just remove the language that's already there instead of changing it? Rick said yes. They can decide that at the next meeting.

Old Business - Travel Trailer Parks. Last month the lack of travel trailer zones was discussed. Rick has since found that we do have RV and travel trailer parks under C2 zone. The codes and language can be found there.

Citizens Comments. The Mayor reports that Danny and the Police Department have been putting red tags on properties that look junky. They are trying to clean up the town. Red tags come first and citations come next. Keith has received many calls and is happy to give feedback to these people that this issue is finally being addressed.

Doni Buttman, Chamber of Commerce said they have worked hard this past year along with the city council to change the temperament in this town. He feels the resort campaign is not helping to attract business to the town. It gives the attitude that we're not very friendly to get along with. It gives us a bad reputation to the surrounding counties. Any of this stuff you're doing is not moving the city in a good direction. If it were left alone all these problems would organically take care of themselves. To pinpoint Bel Arco on these violations is messed up. If you're going to do that then you should do all the resorts, all the mom and pops that have 4 cabins or 4 room resorts. This was originally about their survival concerns. This is not a positive productive direction for the city to go. Ordinances, violations and fines. We need to find creative solutions that work good for everybody and I think it's a travesty for businesses to have to put up with this stuff. All this motivation toward monthly rental is that these are going to be horrible people is a perceived problem.

Mary Serrano spoke up that the resorts in question in her neighborhood have been bought and rented multiple times by owners that aren't there. They don't care about the surrounding residents or the neighborhood. They don't care what's going on when they're gone, the dogs running loose or who is living there.

Doni said the answer is to draw in tourism, put on events, raise funds, donate to the food bank, there's a lot of positive stuff. The town has made some traction. We are a tourist town. We have to have tourism to survive. Gas is only available in Flippin. Bull Shoals has one grocery store but nothing else. That is the only thing that pays our bills, paves our streets, fixes our infrastructure. This is not a retirement community. It's a great place to retire but we all came here for the lake and the river.

Scott S. said he is personally open to any suggestions the chamber may have to the problems brought up. P&Z has always been open to solutions. This isn't about whether we're closed to progress or not. It's about working on solutions to the problems we're presented with.

Doni presented a local tax solution to solve the resort problem. The resorts need tourism dollars. It's not the resort owners' fault. Mike Howell reminded Doni that resorts were offered temporary use permits. They have been presented with a great option but rejected

that offer. The tax idea would have to go on a ballot and put to a vote. You can't tax citizens and give the checks out to businesses. The use permits were a great solution.

Doni wanted to know who fills those rooms when they sit empty. What if people come to town and need places to live. Then what? Rick pointed out that Lakeside Dreams is ALL apartments now. There is no room for tourists there. If we allow everyone to take in long term renters, then where do our tourists stay?

Shelley Salza, owner of Bel Arco criticized the group stating that P&Z, the City Council and Chamber of Commerce seem constantly at odds with each other. Bel Arco has rooms for rent and have people coming regularly. January and February was slow. They're only renting short term. They are open and operating as a resort. She invited the citizens of Bull Shoals to come through and see the progress they made. They live on property and so do their kids. They want to make the space better.

Peggy Anderson wanted to address ongoing comments made by councilman Russ Meinking. For ten months he has accused her and husband of personally attacking Bel Arco and earlier said they "hate" them. The Anderson ran a resort for 21 years and were happy to purchase a home next to Bel Arco. Unfortunately the previous owner began renting long term, was absent and it became a problem. Broken down cars and campers filled the parking lot and trash blew everywhere. Long term apartment rental is definitely a concern in the neighborhood. They were not opposed to living next to a resort. She wanted to clear the air and dispel those rumors.

Rocky Garner spoke up and said there are plenty of apartments available and houses to rent in Bull Shoals and Lakeview. The Chamber of Commerce needs to do more to help advertising and promotion for the resorts in town. That is their job.

Commissioners Comments. Rick reminded the commissioners to fill out their Statement of Financial Interest and turn into Susan at City Hall.

Scott S. made a motion to adjourn. Keith seconded the motion. All were in favor and the meeting adjourned.

Respectfully submitted,
Peggy Anderson
Secretary, Pro Tempore