

Planning & Zoning Commission

February 11, 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 Gallart.

Public Hearing on Light Industrial Language. Rick explained the purpose of adding the new language to our codes. It should draw more types of small business to the city and allow small businesses more flexibility. These changes are only applicable to C2 commercial zones. The language reads as follows:

“Light Industrial Use. As this district is often located in proximity to residential districts, its purpose is to permit operation of industries, trades and services that can be operated in a relatively clean and quiet manner and which will not be obnoxious to adjacent residential or business districts. Thus, it is intended primarily for the conduct of light manufacturing, assembling, fabrication, and for ware housing, wholesaling and services uses, conducted by operations which are primarily carried on within enclosed buildings having adequate land area for parking and landscaping and with adequate safeguards for safety and aesthetics.”

A few citizens were concerned about increased noise. Businesses are expected to be quiet and respectful of the different zones surrounding them. The types of businesses doing light manufacturing, whether building a boat or building a trailer, are expected to conduct these activities inside of a building. Noise should only happen during regular business hours. No manufacturing or deliveries should be happening after hours.

Citizens Comments: Kevin Hutchison, 716 Locust, Bull Shoals, AR.

The only problem he would have is related to noise. Kevin assumes this language will not supersede any noise ordinances that the city already has. He wants to make sure there is a quantifiable and measurable timeline. For instance, you can't make noise during a certain time. It can't be over a certain amount of decibels, etc.

Rick said he believes the new language will cover any unwanted noise and will not go against any current noise ordinances we have with the city. In fact, the language specifically points out it's supposed to be quiet. The Commission wanted to make sure that residential areas were not going to be bothered by noise at 11:00 at night, etc.

Citizens Comments: Gary Fancher, 2232 Central Boulevard, Bull Shoals, AR.

Will there be a way to oversee light abatement? When someone comes into town, and they have enormous lights that shine on his house and overcast his neighbors' properties, is that covered in the new language?

Rick thinks this issue is well covered under "adequate land area for parking and landscaping and with adequate safeguards for safety and aesthetics". This light issue would fall under aesthetic value. Gary asks if he has a concern, should he bring the issue to the city council? Rick states it's actually a Planning & Zoning issue. They would discuss it and then send out a recommendation to the city council.

Citizen Comments: Robert Gruss, 103 Westwood Ct, Bull Shoals, AR.

Is there any noise ordinance for 4<sup>th</sup> of July fireworks?

Keith answered there are rules for 4<sup>th</sup> of July, but he doesn't know the specifics of the rules that are in place. Rick says this concern would be a city ordinance and a city issue, not a Planning & Zoning issue or ordinance. You would need to take it up with the city if you have questions about 4<sup>th</sup> of July noise and fireworks.

Commissioners' Comments. Merle asked if we actually have a noise ordinance in the City of Bull Shoals? Keith doesn't think the city has a noise ordinance. Rick says that if the City doesn't have a noise ordinance, the new language in the code would make the noise clause sufficient enough to be enforceable by Planning & Zoning when dealing with light industrial cases. Planning & Zoning cannot go to a residence on a noise complaint, but they can address businesses in C2 zones.

Gary Fancher commented that he assumes the city has some kind of noise ordinance, because if you say you're going to take care of these noise violations, and nobody knows about the ordinance, it seems you should know this before making the changes.

Rick states that the city has to do their own work as far as city ordinances. The Commission doesn't have much control over that. Citizens should talk to their council members to address the issue. As far as businesses who wish to operate in C2 zones, they

need to conduct business according to what the new code intends. They are expected to follow the rules.

Gary asks if the noise at night would be totally different than noise in the daytime? Rick answers yes, if you're working until 8:00 and are making noise, or dropping a load of steel at 3:00 in the morning and making a racket, we're going to have a problem with that. There are six of us here on the Commission to aid in making those decisions as they arise. The six Commissioners are here to put our heads together regarding these issues.

Rick asked for any last comments regarding the addition of light industrial language to the codes. Keith said he thinks this will be very beneficial to our town. He wanted to remind everyone that this language is specifically for properties in C2 zones. These businesses can't just pop up anywhere. They won't be operating in residences making noise early in the morning. If you're adjacent to a C2 zone it may happen but the noise is addressed in the rules. Rick agreed that allowing people a little more leeway to bring businesses here with good paying jobs that are not tourism related is welcome and beneficial to the city.

Rick asked for motion to approve adding the light industrial language to the codes. Keith made the motion, John seconded, Merle abstained. Motion passed with five approve and one abstain.

Kevin informed the Commissioners that he could not find a noise ordinance on the city website. He will do more research before the next city workshop. If we don't have a noise ordinance, he thinks it would be time for us to create one. It's hard to enforce something you don't have. Rick believes that would be a city council item and not Planning & Zoning.

Mike Howell said he knows of an incident and noise complaint that occurred last September, because he also received a call. He doesn't think there is a noise ordinance in place. Keith said that 4 to 6 years ago there was no noise ordinance, and we should check into it. Merle knew of a loud stereo complaint and the person was told by the police department that there was no noise ordinance in the city of Bull Shoals.

Planning & Zoning Commission then suspended their February 11, 2026 meeting at 6:13 p.m. to convene a hearing for the Board of Adjustments.

Planning & Zoning Commission reconvened the February 11, 2026 meeting at 6:33 P.M.

Approval of Minutes. Minute meetings from November and January were reviewed. Scott G. made motion to approve the minutes, John seconded the motion. Motion was passed to approve November and January minutes.

New Code Book That was Found. Rick said a new code book surfaced from 2007 and supersedes the 2001 code book they've been using. This resulted in Rick tabling their changes presented to the City Council, allowing time to research and compare the code books. There were only two pages that were different: The Table of Contents and the penalty page at the back of the book. There is no table of contents in the 2007 book. There is a section that's outside of the 2007 Planning & Zoning code book that has penalties for people not following codes. Actually the penalties are a bit stiffer in the new code book, but that is the only difference found. We are covered by both books.

We were waiting to hear from the city attorney because the new code book often references our old code book. There's commingling between both books. At this time, Rick believes both code books are valid and legitimate unless we hear different from the city attorney. He would like to proceed with the changes submitted to the city council.

As previously discussed, Rick would like to see two definitions eliminated from the code book: "Transient" and "Transient Use of a Resort Property". We heard from the attorney on two occasions what is allowed. We cannot restrict resort stays at 30 days. The resorts can have guests for 60 to 90 days as long as their intent is to be a tourist and not as a tenant. Rick proposes getting rid of the two definitions, and then add our light industrial language to the codes. We would also keep the language regarding gravel parking lots, and still have "transient tourist accommodations" language stating that "all resort room accommodations shall be fully furnished including but not limited to bed and bath linens".

We are adding at the beginning of our definitions a terminology for definitions: "For the purpose of these regulations certain terms and words are to be used and interpreted as defined hereafter. For any words that are not defined, the Standard Dictionary definitions shall apply". In addition, some definitions listed restrict and define the meaning and intent of permitted uses set forth in this ordinance. I think that covers us for any other definitions when someone challenges the meanings in our codes.

Scott S. asked Rick to read the two sentences that were actually being removed. Rick responds that the two clauses being removed will be:

"Transient. A period of not more than 30 consecutive days"; and

“Transient Use of a Resort Property. The use of any resort property for transient lodging uses where the term of occupancy, possession and tenancy of the property by the person entitled to such occupancy, possession or tenancy is less than 30 consecutive days.”

Rick sent these changes to the city attorney and the attorney said all the changes are good, including the light industrial. Rick will give the changes to the city council for discussion at the next workshop and hopefully we'll get resolution at the next city council meeting.

Motion to remove the two definitions and add the definition for our light industrial use was made by Scott S. Motion was seconded by John. Merle abstained. Motion passed with five approve and one abstain.

Federal Manufactured Home Standards. Rick and the mayor discussed language at the beginning of our code book regarding federal manufactured home standards (Ordinance 2010-04). It states that any manufactured house has to follow this standard. Rick reviewed the standard but didn't print it off for the Commissioners because it is 200 pages long. It seems to be a HUD protection for people that buy lower cost homes and makes sure they follow a certain standard. It seems this code was developed in 1974. At one time we also had language stating that manufactured houses had to be less than five years old when brought into the city and for some reason it got scrapped.

Keith believes the language was scrapped because it was deemed unconstitutional. As long as it hasn't been lived in, it doesn't matter how old it is. Rick said he was concerned about someone bringing a 20 year old house into a neighborhood. We may want to look at the language again and decide what standards we should be following. Rick would like to bring it up for discussion at the next meeting if everyone agrees. First we should look into whether or not we can put restrictions on how old units are that come into our town.

Keith says at one time the rules included the five year restriction that was mentioned. It was allowed if the home was five years old, if it was from a trailer lot and had never been lived in. Danny Caldwell commented that there should be a tag on the trailer stating the age and condition at the time of sale. Rick would like to look into what is currently in our codes and make sure it's realistic and up to date.

Scott G. pointed out there have been changes with many of these mobile homes. When you bring in two houses and you put them together, it's sort of a mobile home but then it's

set on a foundation. He calls them a double wides. He thinks a manufactured home would be allowed like that.

Rick said we should double check the current language because it has a definition for a mobile home and a definition of a manufactured home, so they're currently two different things. Scott G. wants to make sure of what is included and not included in the definitions. Keith also mentions mother-in-law homes and tiny home definitions. Rick encourages everyone to look into these details for discussion next month.

#### Old Business - Resorts, New Letters and Enforcement.

Everyone received two letters of complaint against a resort in Bull Shoals. The letters involve Planning & Zoning issues and city ordinance issues. The chief of police and the fire chief visited the property to look at city related ordinance violations. Body cam video footage was obtained that shows residents admitting to living there permanently and signing yearly leases. This is a C4 resort, so a violation letter was sent to the owner stating they are not operating as a resort. Their choices are to become a legitimate resort, rezone themselves or shut down. They have 30 days to reply. We can't tell them what to do. They just need to do something.

Keith asked if the property has had a business license over the past two years?

Rick said they have never had a business license so that's another violation. Even if they operate as apartments, they should have a business license. But their license should only be for resort because it is a C4 property. Rick feels that the complaint letters submitted were legitimate and also exposed some hazards to the people who live there. There were complaints about the smell of sewer, and they were burning garbage. These are just a few of the issues that came in. He thought it was time we do something. A letter was sent to our building official, who sent the notice out by certified mail. Rick feels we should have a little better standard as to what we will allow our citizens to live in. He asked if there were questions about the actions that were taken. No questions at this time.

Building Official Comments. Danny said the only thing he asks is that we continue cleaning up the city. There are trailers on Locust that he'd like to see condemned. It's been a long process but he's working on it.

Scott S. asked Dan if there was any movement on the Davenport barbed wire fence? Dan announced that he had the letter in his hand and it was going out first thing in the morning. Scott S. thanked him for finally addressing the issue.

Keith asked a question regarding the properties on Locust Street. Was one of them the duplex that has the power line laying on the building? Dan confirmed it was. Keith asked if it was also the house with the holes that the buzzards are living in. Dan said yes, the buzzards have a nice roost there. They're very comfortable. KH was concerned that the power line was literally on the roof. Dan confirmed the power line has been taken off now.

Public Comments. Gary asked if you can legally shoot buzzards. They like his houseboat and are picking the rubber off it. Some in the audience advised against it. Others suggested getting a cannon. Rick said it sounds like a question for city council.

Commissioners Feedback. Scott G. asked if the Boondocks sign is legal in the city limits. It has wheels and looks like a "portable sign". Rick says yes, but it's a bit confusing the way the code is written. They put "portable signs" and "mobile signs" together. But the portable signs are allowed "on a temporary basis, such as a sign designating that the business is open. The sign shall be taken down when the business is not open".

Rick said he believes that with off premise signs, which the Boondocks sign also qualifies for, a business is only allowed to have two of them within the city. They already have one sign. If they put up another then they have reached their limit. We need to keep up with the sign ordinances and make sure all of the signs are following suit.

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

Respectfully submitted,  
Peggy Anderson  
Secretary, Pro Tempore