

JACKSONVILLE PLANNING COMMISSION

A G E N D A

MARCH 9, 2026

6:30 P.M.

		PAGE
1. OPENING REMARKS:		
2. ROLL CALL:		
3. APPROVAL AND/OR CORRECTION OF MINUTES:	Regular Scheduled Meeting of January 12, 2026	1-2
4. PUBLIC HEARING(S):		
5. REQUEST TO APPROVE PLAT(S):	a. PRELIMINARY PLAT: Tyson Estates Petitioner: Caleb & Chelsea Tyson Representative: Bond Engineering (included in packet)	3
	b. FINAL PLAT: Tyson Estates Petitioner: Caleb & Chelsea Tyson Representative: Bond Engineering (included in packet)	4-6
6. BUILDING PERMIT(S):	SITE PLAN: 618 West Main Street Petitioner: Carlos Okpala Representative: McClelland Engineers (included in packet)	7
7. GENERAL:	DISCUSSION: Food Truck Regulations	8-24
ANNOUNCEMENT(S):		
ADJOURNMENT		

CITY OF JACKSONVILLE, ARKANSAS
REGULAR PLANNING COMMISSION MEETING
JANUARY 12, 2026
6:37 P.M. - 6:49 P.M.

OPENING REMARKS: The Planning Commission of the City of Jacksonville, Arkansas met in a regular session on January 12, 2026. Acting Chairman Moore opened the meeting at approximately 6:37 p.m. expressing appreciation to those in attendance.

ROLL CALL: Commissioners Mike Dietz, Keith Allen Walker, Nick Priest, Vivian Brittenum, Jim Oakley, Zeke Brown, Jeff Twitty, and Billy Hall were present and answered ROLL CALL. Acting Chairman Jim Moore declared a quorum. PRESENT (8) with chair, ABSENT (1).

Commissioner Twitty moved, seconded by Commissioner Brittenum to make Commissioner Oakley Chairman for the year 2026. MOTION CARRIED.

Council Member Dietz moved, seconded by Commissioner Brown to make Commissioner Brittenum Vice Chairman for the year 2026. MOTION CARRIED.

Commissioners Priest, Walker, and Brittenum volunteered to serve on the Board of Adjustment for the year 2026.

Commissioner Oakley took over as chairman at this time.

CORRECTION AND/OR APPROVAL OF MINUTES: Commissioner Hall moved, seconded by Council Member Dietz to approve the minutes of December 8, 2025 as presented. MOTION CARRIED.

PUBLIC HEARING(S): REZONING 1315 Lee Mac Drive from R-7 to R-8

Chairman Oakley opened the public hearing at approximately 6:44 p.m.

City Engineer Adam Whitlow stated a representative was requested to be in attendance, the property was properly posted and advertised, it is shown as Residential on the Land Use Plan, Public Works received three calls in opposition, and Staff supports approval. He explained that R-7 zone is for a mobile home park, while R-8 is for an RV park; both common ownership with rental spaces. He confirmed the density would be the same.

Petitioner Jeremiah Blakely with Blakely Land Farm and Rentals recalled owning the property for 10-12 years, which has been a mobile home park for 30+ years. He told how he platted 13 lots for approximately 1400 square feet houses and this is a nook containing small mobile homes currently. He would now like to try something different, noting a lot of people have gone to an RV park, rather than mobile homes. He affirmed the current mobile homes will be removed, which are old FEMA trailers.

A brief discussion ensued regarding the age of the RVs where it was determined that the Health Department has certain regulations dictating this type of park.

CITY OF JACKSONVILLE, ARKANSAS
REGULAR PLANNING COMMISSION MEETING
JANUARY 12, 2026
6:37 P.M. - 6:49 P.M.

Mr. Blakely told how he has City sewer and plans to redo all sewer and water, if approved.

Council Member Dietz showed support, pointing out more cities who have RV parks and how they should be more well-kept by owners than mobile home rentals.

Mr. Blakely mentioned the property is approximately 4.68 acres, allowing for 8 mobile homes per acre, so there would be 37 units.

Chairman Oakley closed the public hearing at approximately 6:48 p.m.

Council Member Dietz moved, seconded by Commissioner Hall to approve the rezoning of 1315 Lee Mac Drive from R-7 to R-8. MOTION CARRIED.

REQUEST TO APPROVE PLAT(S):

BUILDING PERMIT(S):

GENERAL:

ANNOUNCEMENT(S):

ADJOURNMENT: Chairman Oakley without objection, adjourned the meeting at approximately 6:49 p.m.

Respectfully submitted,

Susan L. Davitt



2601 T.P. White Drive
Jacksonville, AR 72076

TEL 501.982.1538
FAX 501.982.1530

www.bondce.com

January 30, 2026

Mr. Adam Whitlow, PE
Director of Engineering & Public Works
No.1 Municipal Drive
Jacksonville, AR 72076

RE: Preliminary Plat, Tyson Estates, Jacksonville, Arkansas

Dear Mr. Whitlow:

Attached are 5 copies of the preliminary plat for the referenced project. We are proposing a 4-lot single family subdivision located at 805 Gregory Street. This property has an existing house with secondary structures and associated driveways. All proposed driveways will access Gregory Street.

All existing utilities run parallel to Gregory Street therefore no utility extensions are required other than services. Sidewalks exist on the north side of Gregory Street therefore no sidewalks are required. There is no curb and gutter along Gregory Street so we respectfully request this requirement be waived.

Please place this item on the planning commission agenda. If you have any questions, please contact us.

Sincerely,

A handwritten signature in black ink, appearing to read 'A. Robinson', written over a horizontal line.

Aaron Robinson P.E.

cc: Mrs. Susan Davitt
Mrs. Thea Hughes
Mr. Jake Short
Mr. Caleb Tyson
BCE # 10166



2601 T.P. White Drive
Jacksonville, AR 72076

TEL 501.982.1538
FAX 501.982.1530

www.bondce.com

January 30, 2026

Mr. Adam Whitlow, PE
Director of Engineering & Public Works
No.1 Municipal Drive
Jacksonville, AR 72076

RE: Final Plat, Tyson Estates, Jacksonville, Arkansas

Dear Mr. Whitlow:

Attached are 5 copies of the final plat for the referenced project. This is a 4-lot subdivision located at 805 Gregory Street. The existing structures will be demolished. All driveways will access Gregory Street.

Attached is the proposed bill of assurance.

Please place this item on the planning commission agenda. If you have any questions, please contact us.

Sincerely,

A handwritten signature in black ink, appearing to read "A. Robinson", with a stylized flourish at the end.

Aaron Robinson P.E.

cc: Mrs. Susan Davitt
Mrs. Thea Hughes
Mr. Jake Short
Mr. Caleb Tyson
BCE # 10166

BILL OF ASSURANCE
TYSON ESTATES
PULASKI COUNTY, JACKSONVILLE, ARKANSAS

KNOW ALL MEN BY THESE PRESENTS:

Where Caleb and Chelsea Tyson is the owner of the following described lands situated in Pulaski County, Arkansas, to-wit:

LEGAL DESCRIPTION:

PART OF THE WEST HALF OF THE NORTHEAST QUARTER OF SECTION 19, T-3-N, R-10-W, JACKSONVILLE, PULASKI COUNTY, ARKANSAS
BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NW CORNER OF THE W1/2 OF THE NE1/4 OF SECTION 19, T-3-N, R-10-W, PULASKI COUNTY, ARKANSAS; THENCE S88°38'18"E 138.25 FEET TO THE POINT OF BEGINNING; THENCE S01°40'29"W, 292.53 FEET; THENCE S88°38'18"E, 302.08 FEET; THENCE N02°38'49"E, 291.90 FEET; THENCE N88°30'33"W, 307.03 FEET TO THE POINT OF BEGINNING, CONTAINING 2.04 ACRES, MORE OR LESS.

And have found it desirable that all of the above property be divided into lots and streets.

NOW THEREFORE, Caleb and Chelsea Tyson (hereinafter being designated as grantor), for and in consideration of the benefits to accrue to them which are hereby acknowledged to be of value, file this Bill of Assurance and a Plat prepared by Aaron K. Robinson, Registered Land Surveyor, of the above described lands, showing the bounds and dimensions of the property being subdivided into lots and its description by lots and streets, which Plat appears as Instrument No. _____ of the records of the office of the Circuit Clerk and Ex-Officio Recorder of Pulaski County, Arkansas.

The Grantor hereby donated and dedicated to the public forever an easement of way in and over said streets as shown on said Plat, to be used as public streets.

The filing of this Bill of Assurance and the said Plat in the office of the Circuit Clerk and Ex-Officio Recorder for Pulaski County, Arkansas, shall be a valid and complete delivery and dedication of streets and easements as set out on said Plat and said streets shall be known by the names designated upon said Plat.

The lands embraced in said Plat shall be forever known as Tyson Estates, and any and every deed or conveyance for any lot in said subdivision, describing said lot by the number as shown on said Plat, shall always be deemed a sufficient, valid and legal description thereof.

The lots in said Tyson Estates shall be sold by grantor, and shall be purchased by the buyers thereof subject to the following restrictions and covenants which shall run with the land and be binding on all parties and all persons claiming by, through, or under them until December 1, 2046 A.D., unless by the affirmative vote on the majority of the owners of said lots, one vote per lot, it is agreed to change said restrictions and covenants listed below shall be automatically extended for successive periods of 10 (ten) years each from December 1, 2046. The covenants and restrictions are as follows:

1. All lots in said subdivision shall be known and described as residential lots, and no structure shall be erected, altered, placed or permitted to remain on said residential lots other than one detached single-family dwelling, neither of which shall exceed two and one-half stories in height; a private garage for not more than 3 (three) cars.
2. The minimum floor area, exclusive on one story open porches and garages, shall be not less than 1,800 square feet. The minimum floor area of 1,800 square feet may be reduced at any time after the filing of the Plat by a majority vote of lot owners with each lot getting one vote, grantor gets 20 votes. The quality of construction shall be of highest-class materials and workmanship with all sides and all exposed foundations, being covered by brick or stone. No building shall be located on any lot nearer to the front lot line than 35 feet. No building shall be located nearer than 5 feet to an interior lot line. No dwelling shall be located on any interior lot nearer than 25 feet to the rear lot line. For the purpose of this covenant, steps, and open porches shall be considered as part of the building. All buildings will be frame construction.
3. No dwelling shall be erected or placed on any lot having a width of less than 75 feet at the minimum building setback line, nor shall any dwelling be erected or placed on any lot having an area of less than 7,500 square feet.
4. No sign of any kind shall be displayed to the public view on any lot except one professional sign of not more than one square foot, one sign of not more than five square foot advertising the property for sale or rent, or signs by the builder to advertise the property during the construction and sales period.
5. No fence, wall, hedge of shrub planting which obstructs sight lines at elevations between two (2) and six (6) feet above the roadways shall be placed or permitted to remain on any corner lot within the triangular area formed by the street property lines and a line

000005

connecting them at points 25 feet from the intersection of the street lines, or in the case of a rounded property corner from the intersection of the street property lines extended. The same line limitations shall apply on any lot within 10 feet from the intersection of a street property line with the edge of a driveway or alley pavement. No tree shall be permitted to remain within such distances or such intersections unless the foliage line is maintained at sufficient height to prevent obstruction of such sight lines.

6. No animals, livestock or poultry of any kind shall be raised or kept on any building site, except that a maximum of four (4) dogs, cats or other household pets may be kept, provided that they are not kept or maintained for commercial purposes. Television Satellite Dishes receiving devices shall be located behind the residence and be concealed, or in the dwelling attic space.

7. No noxious or offensive trade or activity shall be carried on upon any lot, nor shall anything be done thereon which may be or become an annoyance or nuisance to the neighborhood.

8. A perpetual easement is reserved of the width and length for utility installation and maintenance as shown on the said Plat, and no building other than fences shall be erected over or upon the land reserved for said easement.

9. No obstruction shall be placed in the street, gutter curbs, curbs shall not be cut in driveway lower than two inches above gutter grades.

10. No lot shall be divided into two or more parcels without the approval of the planning commission having jurisdiction.

11. The invalidation of any one of these covenants or restrictions by judgment or court or shall in of manner affect any of the other provisions which shall remain in full force and effect.

11. In the event of an attempt to violate any of the restrictions or covenants contained herein, it shall be lawful for any other person or persons owning any other lot or lots in this subdivision to prosecute any proceedings at law or in equity against the person or persons violating or attempting to violate any such restriction or covenants, or to recover damage for such violation.

IN WITNESS WHEREOF the grantor has executed this Bill of Assurance on the ____ day of _____, 2026.

Caleb Tyson

Chelsea Tyson

ACKNOWLEDGMENT

STATE OF ARKANSAS)
COUNTY OF PULASKI)

BE IT REMEMBERED, that on this day came before me, the undersigned, a Notary Public, within and for the county and state aforesaid, duly commissioned and acting, Caleb and Chelsea Tyson to me well known as the grantor in the foregoing instrument, and mentioned and set forth.

WITNESS my hand and seal as such Notary Public, on this the ____ day of _____, 2026.

Notary Public

My commission expires:

From: carlos okpala <carlos@smiths-kitchen.com>

Sent: Monday, February 2, 2026 9:28 AM

To: Mylissa Griggs <mgriggs@jacksonvillear.gov>; Adam Whitlow <awhitlow@jacksonvillear.gov>

Subject: Site Improvements Review – 618 W Main Street

Good morning,

My name is Carlos Okpala, and I am the owner of the property located at **618 W Main Street, Jacksonville, AR 72076**.

I am writing to follow up and provide clarification regarding the **proposed site improvements** for the property. I have obtained the **boundary survey and site/plot plan**, which I am ready to submit for review. The site/plot plan includes the locations of the proposed light poles.

At this time, I am **no longer pursuing the development of the property as a food truck park or the construction of a new building**. The intent is to move forward with **limited site and accessory improvements only**, which include:

- Light poles with string lighting, as shown on the site/plot plan
- Walls or barriers for site security
- Placement of a prefabricated storage structure for storage of supplies, food, equipment, and a restroom for operational use

My goal is simply to ensure the proposed improvements are reviewed under the **appropriate permit classification** and that I am meeting all applicable city requirements. Please let me know the appropriate next steps.

000007



#1 Municipal Drive
Jacksonville, Arkansas 72076
ENGINEERING DEPARTMENT
Phone: (501) 982-6071 Fax: (501) 982-6439

March 2, 2026

Jacksonville Planning Commissioners
#1 Municipal Drive
Jacksonville, AR 72076

RE: Food Truck Regulations

Dear Commissioners,

Our Department has seen an increased interest in placing food trucks within the city limits of Jacksonville. Currently our process has been to require an active Privilege Tax License, A & P License, State Health Department Approval, & Property Owner approval for placement.

In the interest of further protecting the integrity of existing businesses within our City, we feel the need to possibly increase the regulations governing the placement of these businesses.

Also, you will see information submitted for a "Food Tuck Park" in this month's submittal. Current Code does not fully address such a development & we would like the Commissioners input. Staff feels like this could definitely be a positive addition to our City, however, we do wish to address any potential issues on the front end in order to prevent any negative precedent(s) being set.

Enclosed you will find information Cabot utilizes to regulate their Food Truck businesses. Please review & prepare for discussion at the March 9, 2026 Planning Commission meeting.

Sincerely,

A handwritten signature in black ink that reads "Adam Whitlow".

Adam Whitlow, P.E., P.S.
City Engineer – City of Jacksonville

000008

Food Truck Application

CITY OF CABOT

Food trucks operating in Cabot are subject to Ordinance No. 31 of 2019

Date

Business Name

Business Owner name

Applicant Information

Home Phone

Cell Phone

Email Address

Address

City

State

ZIP Code

Proposed Location

Requested days of operation

Hours of operation

If part of a special event: Event Name

Organizer

Are you requesting a Daily or Annual License?

How many trucks are you permitting?

Copies of the following paperwork must be attached to this application:

- A valid business license
- A valid A & P permit
- A valid liability insurance policy
- A current health inspection
- A valid driver's license
- A current fire inspection by an incorporated Arkansas municipality

000009

ORDINANCE NO. 31 of 2019

AN ORDINANCE AMENDING THE CODE OF CABOT; PROVIDING FOR BUSINESS LICENSING FOR CERTAIN OUTDOOR AND MOBILE VENDORS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES

WHEREAS, mobile food trucks have experienced a rise in popularity across the country and in the City of Cabot in the past few years; and

WHEREAS, the City of Cabot finds it desirable to set forth regulations to allow mobile food trucks to operate within the city under certain circumstances and to establish regulations concerning mobile food truck operation in order to protect the health safety and welfare of the City's inhabitants.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CABOT, ARKANSAS, THAT:

SECTION 1: Chapter 8, Article II. § 8-18 – Definitions, of the Code of Cabot, is hereby

amended to add the following definitions:

Mobile Food Establishment – a food establishment or preparing and/or serving foods from a self-contained vehicle either motorized or within a trailer that is readily movable without disassembling for transport to another location. Mobile food establishment may serve as a conveyance for outdoor vending at a fixed location and may be a mobile cart, stationary cart, pedal cart, trailer, van, portable building, or similar chassis with or without an engine.

Mobile Food Vendor – any person or persons who operate or sell food from a mobile food establishment.

Mobile Outdoor Vending - exhibiting, displaying, selling or offering for sale any goods, wares or merchandise from a fixed location on public or private property conveyance.

Mobile Outdoor Vendor - a person that exhibits, displays, sells or offers for sale any goods, wares or merchandise from a conveyance at a fixed location. This definition does not include a door-to-door solicitor, mobile food vending, children's lemonade stands or homeowners having garage sales.

Fixed Location - a vendor occupying a location for a period of 6 months or less.

Roving Mobile Vendor – a vendor traveling constantly without a fixed destination

SECTION 2: Chapter 8, Article II. § 8-19 – Payment OF Privilege Tax And Pro



License required, of the Code of Cabot, is hereby amended as follows:

Reciprocity will not be extended to Mobile Food Establishments, Mobile Food Vendors, Mobile Outdoor Vendors, nor Roving Mobile Vendors.

SECTION 3: Chapter 8, Article II. § 8-27 – Temporary Business Permits, of the Code of Cabot, is hereby amended as follows:

(a) Temporary business is defined as a free-standing business operation in a temporary structure, portable building, trailer or tent for seasonal or short-term operation. It is further defined as having no permanent municipal water and wastewater services, unless specifically defined otherwise within this Chapter.

* It is not the intent of this Code to define Mobile Food Establishments, Mobile Food Vendors, Mobile Outdoor Vendors, and Roving Mobile Vendors as a Temporary Business.

Carnivals	30 days per permit
Seasonal tents or lots	30 days per permit
Christmas tree stands	30 days per permit
General commercial sales stands, tents or lots	90 days per permit
Concession/refreshment/food service	180 days per permit

SECTION 4: Fee Schedule. Each application for the issuance of a business license under this Section shall be accompanied by a fee, as delineated in Code of Cabot, Chapter 8, Article III, Division 3 § 8-124 – Business License Rates.

A mobile vendor may obtain a Daily Business License for a fee of \$20.00 per day.

A fixed mobile vendor must operate at the location(s) specified on the application. Each additional location/truck will be charged a fee of \$50.00.

SECTION 5: Mobile Vendor Permit Requirements.

000011

1. The provisions of this section shall apply to mobile food operations engaged in the business of cooking, preparing and distributing food or beverage, with or without charge, from mobile food trucks on or in public or private spaces. This section shall not apply to mobile frozen treat vendors (ice cream trucks) that move from place to place.

2. The provisions of this section shall not apply to concessionaire operations and agreements managed by the Cabot Parks and Recreation Department.

3. Mobile Food Truck operators shall obtain the following prior to conducting business in the City:

- a. A valid business license;
- b. A valid A & P permit;
- c. A valid liability insurance policy;
- d. A current health inspection;
- e. A valid driver's license;
- f. A current fire inspection by an incorporated Arkansas municipality;

4. Mobile Food Establishments shall adhere to all Advertising and Promotion regulations as set forth in Chapter 28 of the Code of Cabot.

SECTION 6: Rules and Regulations General.

1. No operator of a mobile food truck shall park, stand, or move a vehicle and conduct business within unauthorized areas of the City;

2. The operator of a mobile food truck is not granted or entitled to the exclusive use of the service location, in whole or in part, other than the approved time and place;

3. All mobile food trucks shall offer waste container for public use that the operator shall empty at his or her own expense;

4. Mobile food truck operators shall remove all trash at their expense. Mobile food truck operators shall not utilize dumpsters of other existing businesses without the permission of such businesses.

5. No mobile food truck shall make or cause to be made any unreasonable or excessive noise in violation of City ordinances;

6. A mobile food truck may conduct sales while parked on a public street when the City has approved a temporary street closure for a City-sponsored or neighborhood-sponsored event such as a street festival or street fair;

7. Mobile food trucks on public property, the City reserves the right to temporarily move a mobile food truck to a nearby location if the approved location needs to be used for emergency, or other public purpose.

8. Inspectional Services. The food truck applicant shall ensure compliance with all City and state health regulations for mobile food truck vendors. Health and Fire inspections will be reciprocated.

9. In no instance, with the exception of special events, may the mobile vendor/ mobile food vendor reduce the number of available parking spaces below the minimum required for the primary business.

10. Businesses which require a permit (A&P permit) from the Cabot Advertising and Promotion Commission (the Commission) in addition to the Cabot City Business License are required to obtain and maintain the A&P permit in good standing as a condition of maintaining the business license. Revocation of the A&P permit by the Commission shall be deemed to simultaneously revoke the Cabot City Business License and all business operations shall be required to cease immediately.

SECTION 7: Operation of Mobile Food Trucks. Operation without A&P Permit or City Business License.

A mobile food truck being operated without a valid A & P permit issued by the Cabot Chamber of Commerce Office may be cited into Cabot District Court. Any mobile food truck operating without a valid City Business License issued by the City of Cabot Clerk's Office may be cited into Cabot District Court.

SECTION 8: Unattended Vehicles Prohibited.

1. No mobile food truck shall be parked on the street overnight, unless present at the location as part of the mobile food truck event, or left unsecured at any time food is kept in the mobile food truck. Any mobile food truck which is found to be unsecured shall be considered a public safety hazard and may be ticketed and impounded.

2. A mobile food truck operating outside of an approved site, at an unauthorized location, or beyond the hours for which the operation has been permitted shall be deemed operating in violation of this section and may be subject to enforcement under this section.

SECTION 9: Fine for Violation.

1. Any person operating a mobile food truck or service in violation of any provision of this section may be subject to a fine of three hundred dollars (\$300) per day.

2. Each day violation shall constitute a separate and distinct offense.

SECTION 10: Enforcement. The provisions of this Ordinance shall be with the Cabot Code Enforcement Department, Cabot Police Department, the Cabot Fire Department. If the Code Enforcement Department is not available to enforce the rules of this Ordinance, enforcement shall be with the Cabot Police Department

SECTION 11: Severability. In the event any title, section, paragraph, item, sentence, clause, phrase, or word of this ordinance is declared or adjudged to be invalid or unconstitutional, such declaration or adjudication shall not affect the remaining portions of the ordinance, which shall remain in full force and effect as if the portion so declared or adjudged invalid or unconstitutional were not originally a part of the ordinance.

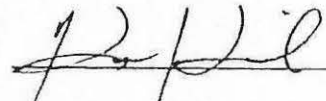
SECTION 12: Repealer. All ordinances or resolutions of the City in conflict herewith are hereby

repealed to the extent of such conflict.

SECTION 13+ Emergency Clause. In light of the need for these changes, and the need to provide the residents of the City of Cabot with dining and other options not associated with brick and mortar locations and commercial facilities, the Cabot City Council declares that an emergency exists and that the need to provide for the public peace, health, safety and welfare is necessary, and this Ordinance shall be in full force and effect from and after the date of its passage and approval.

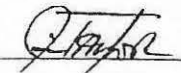
SPONSOR:
Norma Naquin

ADOPTION: 8-0
EMERGENCY CLAUSE: No VOTE
DATE: 8/19/2019
APPROVED:



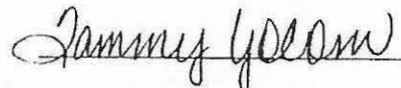
Ken Kincade, MAYOR

APPROVED AS TO FORM:



Jim Taylor, City Attorney

ATTEST:



Tammy Yocom, City Clerk-Treasurer

000015

Cal

4.16.1 *Purpose and Intent.* The purpose and intent of this section is to regulate specific activities that are commercial in nature while preserving and enhancing the aesthetic beauty of the city. More specifically, the intent of the food truck park regulations is to:

- a. To serve and protect the health, safety and welfare of the general public;
- b. To establish a uniform set of rules and regulations that are fair and equitable;
- c. To provide economic development opportunities to small entrepreneurs in the city;
- d. To promote stable vendors who will enrich the city's ambiance and be assets to public security.

4.16.2 *Uses.* Food Truck Parks shall be permitted on private property as a Special Permit Use in Commercial and Industrial zoning districts.

4.16.3 *Standards.* The Planning Commission may approve, deny, defer, or modify a Food Truck Park site plan based on findings of fact with regard to the standards set forth below. The appropriateness of these standards shall be determined at the discretion of the Planning Commission for each specific location. The Planning Commission shall not permit any Food Truck Park use in a zone as a Special Use that is not permitted under the Zoning Code.

In carrying out the purpose of this section, the Commission consideration shall include, but not limited to, the following development standards and design specifics.

The appropriateness of these standards shall be determined at the discretion of the Planning Commission for each Food Truck Park location.

- a. The proposed use is so designed, located and proposed to be operated that the public health, safety and welfare will be protected.
- b. The proposed land use is compatible with and will not adversely affect other property in the area where it is proposed to be located.
- c. The proposed use is within the provisions of "Special Uses" as set out in the Code.
- d. The proposed use conforms to all applicable provisions of this Code for the zoning district for which it is to be located, and the use facilitates public convenience at that location.
- e. The size and shape of the site, and the size, shape and arrangement of the proposed structures, are in keeping with the intent of the Comprehensive plan and this Code.
- f. The ingress or egress, off-street parking, loading and pedestrian ways will be efficient and safe.
- g. Safeguards, including, but not limited to, hours and methods of operation, landscaping and screening, controlling noxious or offensive emissions, including lighting, noise, glare, dust and odor, are satisfactory.

- h. Landscaping, fencing and open space will be properly maintained by the owner/developer.
- i. Proposed sign(s) will be appropriate for the location and in accordance with the requirements of the existing City Code.
- j. Public utilities are, or will be, available and will not be overloaded.

4.16.4 Procedure for Authorizing.

- a. *Permit Required:* Unless specifically exempted in this Code, it shall be unlawful for any person to engage in the business of a food truck park unless he/she has first obtained a Special Permit Use from the Planning Commission. It is the responsibility of the business owner to verify if a food truck park has been approved for the property location.
- b. *Application:* Application for a Food Truck Park shall be made by the property owner or authorized agent for the owner. The application shall be submitted to the Public Works Office which will process all applicable surveys, site plans and other supporting information pertinent to this review process.

Notice of a Special Permit Use application shall be published at least one time, not less than fifteen (15) days prior to the date of the public hearing, in a newspaper of general circulation. The applicant shall give notice of such hearing by posting a suitable and pertinent sign, provided by the City, on the property involved not less than fifteen (15) days prior to the hearing.

- c. *Site Plan Requirements:* The site plan requirements for a Food Truck Park application shall follow the same requirements as a standard site plan as listed in Zoning Code section. The Food Truck Park shall meet Off-Street parking requirements, sign regulations and landscape requirements. The site plan shall also show the following requirements:
 - i. The location and size for each food truck vendor pad with appropriate separation distances;
 - ii. The permanent utility connections for each food truck space. This shall include permanent water, sanitary sewer and electricity connections;
 - iii. The location and size of any proposed permanent structures;
 - iv. The location of existing and proposed fire hydrants;
 - v. The location of on-site lighting for the food truck park;
 - vi. The location of on-site dumpster with an opaque enclosure;
 - vii. The location of the proposed structure to house restrooms and hand washing facilities;
 - viii. Other information staff deems necessary for the site location.
- d. *Plan Review:* The Food Truck Park site plan shall be reviewed through the Public Works office and the staff shall report to the Planning Commission on its relation and probable effect on the surrounding area as well as its compliance with the requirements of this Code.

000017

- e. *Planning Commission Action:* The Planning Commission shall review each Food Truck Park site plan at its regularly scheduled monthly meeting, at which time interested person may appear and offer information in support of, or against the proposed Food Truck Park. The Planning Commission shall review the site plan based on circumstances of the proposed Food Truck Park including, but not limited to the location of the park, the size of the lot which the park is proposed, the types of surrounding land uses and the proximity to the park, parking, and any other potential impacts on public health, safety and welfare.

The Planning Commission shall then make one of the following determinations: approve the Food Truck Park site plan as requested; approve the Food Truck Park site plan with modifications; defer the Food Truck Park site plan; or deny the Food Truck Park site plan. ;p25; The Planning Commission may impose conditions and restrictions upon the premises as may be necessary to reduce or minimize the injurious effects of the Food Truck Park, ensure compatibility with the surrounding property and carry out the general intent of the Comprehensive Plan, appropriate neighborhood plans and this Code.

In no case shall the Planning Commission authorize reduction from the minimum requirements of the code relating to height, area, parking or screening. However, the applicant may be directed to the Board of Adjustment for variances under the Zoning Code.

- f. *Appeal:* Any applicant or other affected party aggrieved by a decision of the Planning Commission as it relates to the Food Truck Park process shall have the right to appeal to the City Council. Such appeal must be filed in writing with the City Clerk-Treasurer within thirty (30) days after the Planning Commission takes final action on such request. The City Council may affirm, modify, or deny said appealed action of the Planning Commission.
- g. *Status of Conditions:* Once any portion of the Food Truck Park Special Permit Use which has been authorized is utilized, all such conditions pertaining to such authorization shall become immediately operative. The violation of any condition so imposed shall constitute grounds for revocation of the Food Truck Park Special Permit Use. Such conditions may include time limits for exercise of such authorization and must commence within a reasonable time.

The Board of Adjustment is not authorized to grant a variance from conditions imposed by the commission in connection with the Food Track Park Special Permit Use. However, the Board of Adjustment may grant variances as provided by the Zoning Code.

Amendments or major changes to a Food Track Park site plan authorization must follow the same process as the original Food Track Park site plan. No building permit shall be issued except in conformance with the provisions of this section.

A Food Truck Park requires a Special Permit Use which is part of the Zoning Code and shall run with the land upon which the use is located.

Fees. Before any action shall be taken as provided in this section, the applicant shall deposit with the City an application fee as established or may hereafter be adopted by resolution of the City Council. Under no condition shall said sum or any part thereof be refunded for failure of said permit to be approved by the Planning Commission.

4.16.6 *General Regulations & Dimensional Standards.*

- a. All food truck parks shall comply with all the requirements of this Code as well as all other applicable ordinances, statues, rules and regulations of the City of Cabot and the State of Arkansas.
- b. At no point shall a food truck park remain open for 24-hours.
- c. All food truck parks shall be located on property that is a legally platted subdivision.
- d. The minimum paved area for each proposed food truck & trailer vendor parking pad shall be thirty-five (35) by fifteen (15) feet. This area shall not include any parking spaces that are reserved, encumbered, or designated to satisfy the off- street parking requirements.
- e. The building design standards in Section 4.9.23 of the Zoning code shall apply to any permanent structure on the site. These standards do not apply to individual food truck and trailer vendors.
- f. The property owner, or his/her designated manager, of the food truck park shall be responsible for the orderly organization of all food truck and trailer vendors, the cleanliness of the park, and the park's compliance with all rules and regulations.
- g. The number of food truck and trailer vendors spaces allowed shall be calculated at one (1) vendor space per 1,000 square feet of lot space. The minimum number of vendor spaces shall be two (2) and the maximum number of vendor spaces allowed on any site shall be limited to ten (10).
- h. Only one (1) food truck and trailer vendor are permitted to occupy a vendor space at the food truck park.
- i. No food truck and trailer vendor, permanent structures, or seating areas shall be located within the required building setbacks of the applicable zoning district.
- j. The minimum separation between each individual food truck and trailer vendor, and the minimum separation between any food truck and trailer and a permanent on-site structure shall be a minimum of ten (10) feet.
- k. A food truck and trailer vendor shall remain outside of a required fire lane, be located a minimum of three (3) feet from any fire hydrant and shall not block access to a Fire Department Connection (FDC).
- l. No vehicle drive-through services shall be permitted within a food truck park without Cabot Planning Commission approval.

- m. During hours of operation, each food truck and trailer vendor shall be responsible for providing a trash receptacle for use by customers and shall ensure the area is kept clear of litter and debris at all times. A common dumpster may be provided within the food truck park if the dumpster is screened in accordance with the screening requirements.
- n. Any food truck park may establish or utilize a permanent structure for indoor seating, entertainment venue, or similar purposes provided the structures comply with all applicable requirements, including but not limited to building and fire department requirements.

(Ord. No. 6-2023, § 1(Exh. A), 4-3-2023)

Use Unit	R-1	R-2	R-2S	R-3	R-4M	R-4H	R-5	O-1	C-1	C-2	C-3	I-1	PUD
Antenna Tower	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	X	Uses to be proposed by the applicant.
Automobile Repair or Service										X	X	X	
Automobile Sales & Leasing—Small Scale									SP	X	X		
Call Center									SP	SP	X	X	
Commercial—General									SP	X	X		
Commercial—Shopping Centers or Big Box Retailers											X		
Commercial—Small Scale								X	X	X	X		
Commercial Parking Lot/Garage								SP	X	X	X	X	
Contractor or Utility Equipment Parking/Storage Yard											X	X	
Convenience Store									SP	X	X	X	
Data Center	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	

Use Unit	R-1	R-2	R-2S	R-3	R-4M	R-4H	R-5	O-1	C-1	C-2	C-3	I-1	PUD
Dwellings—Manufactured Home ¹	X	X	X	X	X	X							
Dwellings—Multi-Family—Large Scale						X	X		SP	SP	SP		
Dwellings—Multi-Family—Small Scale					X	X	X	SP	SP	SP	SP		
Dwellings—Single Family	X	X	X	X	X	X	X	X	X	X	X		
Dwellings—Two-Family		X			X	X	X						
Dwellings—Zero-Lot Line—Townhouses/Condominiums					X	X	X		X	X	X		
Food Truck Park									SP	SP	SP	SP	
Hazardous Materials Use or Storage												SP	
Hotel/Motel—Large Scale									SP	X	X		
Hotel/Motel—Small Scale									X	X	X		
Industrial												X	
Institutional—Large Scale					SP	SP		SP	SP	X	X	SP	
Institutional—Small Scale	SP	SP	SP	SP	SP	SP	SP	X	X	X	X	SP	
Manufactured Home Park				X									
Non-Urban	SP										SP	SP	

Use Unit	R-1	R-2	R-2S	R-3	R-4M	R-4H	R-5	O-1	C-1	C-2	C-3	I-1	PUD
Office-Small Scale								X	X	X	X		
Open Display Commercial— (No permanent 24-hour outside storage)										X	X		
Open Display Commercial— (With permanent 24-hour outside storage)											X		
Personal Care	SP	SP	SP	SP	SP	SP	SP	SP	SP	X	X		
Pharmacy/Medical Marijuana Dispensary									SP	SP	SP		
Public/Semi-Public	X	X	X	X	X	X	X	X	X	X	X	X	
Recreational Facility—Indoor									SP	X	X	X	
Recreational Facility— Outdoor										SP	X	X	
Recreational Vehicle Parks											SP		
Technology Center										SP	X	X	
Sales and/or Service Operations									SP	SP	X	X	
Salvage Yard/Wrecker Service												SP	

Use Unit	R- 1	R- 2	R- 2S	R- 3	R- 4M	R- 4H	R- 5	O- 1	C- 1	C- 2	C- 3	I- 1	PUD
Self-Storage Facilities										SP	SP	X	
Veterinarian Clinic—Large											X		
Veterinarian Clinic—Small								X	X	X	X		

000024