



## CITY OF TEXARKANA ARKANSAS

### DEPARTMENT OF PUBLIC WORKS

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## MEMORANDUM

**TO:** Robert Thompson, City Manager

**FROM:** Jamie Finley, City Planner

**DATE:** April 10, 2024

**SUBJECT:** Adopt an Ordinance amending the *City of Texarkana, Arkansas, Code of Ordinances*, Section 28-22 Commercial District in order to consolidate and clarify permitted and conditional uses for medical related businesses.

**LEGAL DESCRIPTION:** N/A

**REASON FOR REQUEST:** In attempting to determine whether a certain medical business is a permitted use or conditional use, it has become apparent there is some ambiguity and lack of rational present in the use matrix for commercial zones. We have consolidated the medical related business from three to two categories with the emergency clinics being separated out due to their potential for extended hours and emergency traffic.

**EXISTING LAND USES:** N/A

**EXISTING ZONING:** N/A

**COMPATIBILITY WITH EXISTING ZONING:** N/A

**UTILITIES & TRANSPORTATION NETWORK:** N/A

**CONFORMANCE  
WITH APPLICABLE  
ORDINANCES  
AND/OR STATE  
STATUTES:**

The *Arkansas Code of 1987 Annotated (14-56-422B)* requires the following – “All plans, recommended ordinances, and regulations shall be adopted through the following procedure for adoption of plans and regulations:

- (1) (A) The Planning Commission shall hold a public hearing on the plans, ordinances, and regulations proposed under this subchapter.  
  
(B) Notice of public hearing shall be published in a newspaper of general circulation in the city, at least (1) time fifteen days prior to the hearing.
- (2) Following the public hearing, proposed plans may be adopted, and proposed ordinance and regulations may be recommended as presented, or in modified form, by a majority vote of the entire commission.
- (3) Following its adoption of plans and recommendation of ordinances and regulations, the commission shall certify adopted plans of recommended ordinances of and regulations to the legislative body of the city for its adoption.
- (4) The legislative body of the city may return the plans and recommended ordinances and regulations to the commission for further study or rectification, or, by a majority vote of the entire membership, may, by ordinance or resolution, adopt the plans and recommended ordinances or regulations submitted by the commission. However, nothing in this subchapter shall be construed to limit the city board's authority to recall the ordinances and resolutions by a vote of a majority of the council.

Following adoption by the legislative body, the adopted plans, ordinances, and regulations shall be filed in the office of the City Clerk. The City Clerk shall file, with the county recorder of the counties in which territorial jurisdiction is being exercised such plans, ordinances, and regulations as pertain to the territory beyond the corporate limits.

The required notice was published in the Sunday, March 3, 2024, edition of the Texarkana Gazette.

**OPPOSITION:**

None

**PLANNING  
COMMISSION  
CERTIFICATION:**

The Planning Commission met on April 9, 2024, and certified recommendation to revise the *Code* Section 28-22 Commercial District in order to consolidate and clarify permitted and conditional uses related to medical businesses. A motion was made by Commissioner Boots Thomas seconded by Commissioner Jason Dupree with a roll call vote of 5-0, with one absence and one vacancy.

Anderson Neal, Chairperson	Yes
Mike Jones, Vice Chairperson	Absent
Adger Smith	Yes
Jason Dupree	Yes
Randall Hickerson	Yes
Boots Thomas	Yes

**BOARD ACTION  
REQUESTED:**

The City Board is requested to:

Approve the amendment to the *Code*, Section 28-22 Commercial District in order to consolidate and clarify permitted and conditional uses related to medical businesses.

The Arkansas *Code of 1987 Annotated* requires every ordinance to be read three times before adoption. These three readings may all occur at the same meeting or at the second and third subsequent meetings after the first reading of the ordinance.