

RE: AN ADMINISTRATIVE DELAY ON APPLICATIONS AND PERMITS FOR SELF STORAGE LAND USES OCCURRING ALONG MASSEY BOULEVARD, MT. VERNON STREET, AND MAIN STREET.

Background:

Staff has been asked to begin work on drafting amendments to the City Code regarding self storage land uses. Specifically, staff has been asked to propose amendments to the Code which would remove self storage land uses from the list of permitted uses in General Commercial, Highway Commercial, and Neighborhood Commercial districts located along Massey Boulevard, Mt. Vernon Street, and Main Street.

Analysis:

City staff needs adequate time to draft these requested amendments. Additionally, because such amendments will modify the City's zoning ordinance, the Planning and Zoning Commission will need adequate time to give full consideration and debate for such amendments. Further, the City Council itself needs adequate time to consider and debate any potential amendments.

Given these concerns, an administrative delay may be warranted while these potential amendments are drafted and considered via the appropriate approval process.

An administrative delay is a pause on certain City approvals while the City undertakes the process of considering legislative amendments. It is intended to provide a pause period whereby the legislative body of the City is not forced to adopt hasty legislation or is forced to accept applications and process applications during the legislative process.

The Resolution presented for Council's consideration would impose an administrative delay on applications and permits for self storage land uses occurring within General Commercial, Highway Commercial, and Neighborhood Commercial Zoning Districts which are fully or partially located within 500 feet of the right-of-way of Massey Boulevard/Highway 160, the right-of-way of Mt. Vernon Street/Highway 14, and the right-of-way of Main Street/Highway CC.

The administrative delay is set to expire on December 31, 2022. It is staff's intention to include language in the approval ordinance for any potential code amendments which would dissolve this administrative delay upon approval of said ordinance.

Recommendation:

To provide staff, the Planning and Zoning Commission, and the Council adequate time to consider potential amendments to the City Code, staff recommends approval of this Resolution.

MEMO SUBMITTED BY:

Nick Woodman | City Attorney

RESOLUTION NO. 2022-094

1 **A RESOLUTION OF THE COUNCIL OF THE CITY OF NIXA IMPOSING AN**
2 **ADMINISTRATIVE DELAY ON THE ACCEPTANCE, PROCESSING, AND APPROVAL**
3 **OF APPLICATIONS AND PERMITS FOR SELF STORAGE LAND USES WITHIN**
4 **CERTAIN GENERAL COMMERCIAL, HIGHWAY COMMERCIAL, AND**
5 **NEIGHBORHOOD COMMERCIAL ZONING DISTRICTS GENERALLY LOCATED**
6 **ALONG MASSEY BOULEVARD, MT. VERNON STREET, AND MAIN STREET.**

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9 **WHEREAS** City Council desires to impose an administrative delay on the
10 acceptance, processing, and approval of applications and permits for self storage land
11 uses occurring within General Commercial, Highway Commercial, and Neighborhood
12 Commercial Zoning Districts generally located along Massey Boulevard, Mt. Vernon
13 Street, and Main Street; and

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15 **WHEREAS** the City Council desires to impose this administrative delay to allow
16 staff, the Planning and Zoning Commission, and the City Council, adequate time to
17 consider amendments to the City Code to modify where self storage land uses are
18 authorized within the City; and

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20 **WHEREAS** the City Council desires to ensure that the City's highest tier
21 commercial areas are preserved for commercial activity which generates revenue for the
22 City and furthers additional commercial development within these areas while also
23 ensuring that appropriate land uses are otherwise allowed within the City.

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25 **NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF**
26 **NIXA, AS FOLLOWS, THAT:**

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28 **SECTION 1:** City Council hereby directs the City Administrator to delay the
29 acceptance, processing, and approval of applications and permits for self storage land
30 uses occurring within General Commercial, Highway Commercial, and Neighborhood
31 Commercial Zoning Districts which are fully or partially located within 500 feet of the right-
32 of-way of Massey Boulevard/Highway 160, the right-of-way of Mt. Vernon Street/Highway
33 14, and the right-of-way of Main Street/Highway CC. City Council further directs that no
34 such applications or permits shall be accepted for filing nor shall filed applications or
35 permits continue to be processed for action by the City, the City Council or the Planning
36 and Zoning Commission, during the pendency of the administrative delay imposed herein.

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38 **SECTION 2:** The administrative delay imposed herein shall continue from the date
39 of passage of this Resolution until December 31, 2022, unless further extended by the
40 City Council.

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42 **SECTION 3:** This Resolution shall be in full force and effect from and after its final
43 passage by the City Council and after its approval by the Mayor, subject to the provisions
44 of section 3.11(g) of the City Charter.

RESOLUTION NO. 2022-094

47 **ADOPTED BY THE COUNCIL THIS 19th DAY OF September, 2022.**

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ATTEST:

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52 _____
PRESIDING OFFICER

CITY CLERK

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55 **APPROVED BY THE MAYOR THIS _____ DAY OF _____, 2022.**

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ATTEST:

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60 _____
MAYOR

CITY CLERK

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62 APPROVED AS TO FORM:

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65 _____
CITY ATTORNEY