

AN ORDINANCE OF THE NIXA CITY COUNCIL AMENDING THE OFFICIAL ZONING MAP BY ADDING THE DOWNTOWN OVERLAY DISTRICT IN THE AREA OF MAIN STREET AND MT. VERNON

Background:

Staff has proposed a code amendment to create a new Downtown Overlay (DTO) District. The purpose of the DTO is to aid in the redevelopment of the downtown area. The DTO does not replace the underlying zoning of the property it covers. The DTO either reduces certain regulations or provides unique regulations specific to a downtown environment. This rezone request is for the placing of the overlay over specific properties in the downtown area, shown on the map at the end of this report.

Analysis:

The Downtown Overlay (DTO) District will cover properties that were originally developed long before building codes or city regulations. The DTO is meant to help small commercial lots that are commonly found around the Main Street and Highway 14 intersection. The south end of the overlay covers just the right-of-way of South Main Street. The purpose of this is to make it easier for these property owners to extend the overlay if they choose.

The overlay primarily covers commercial and industrial zoned property. Some of the commercial property is still used as single-family residential. These land uses can continue until they lose their non-conforming status.

Planning and Zoning Commission:

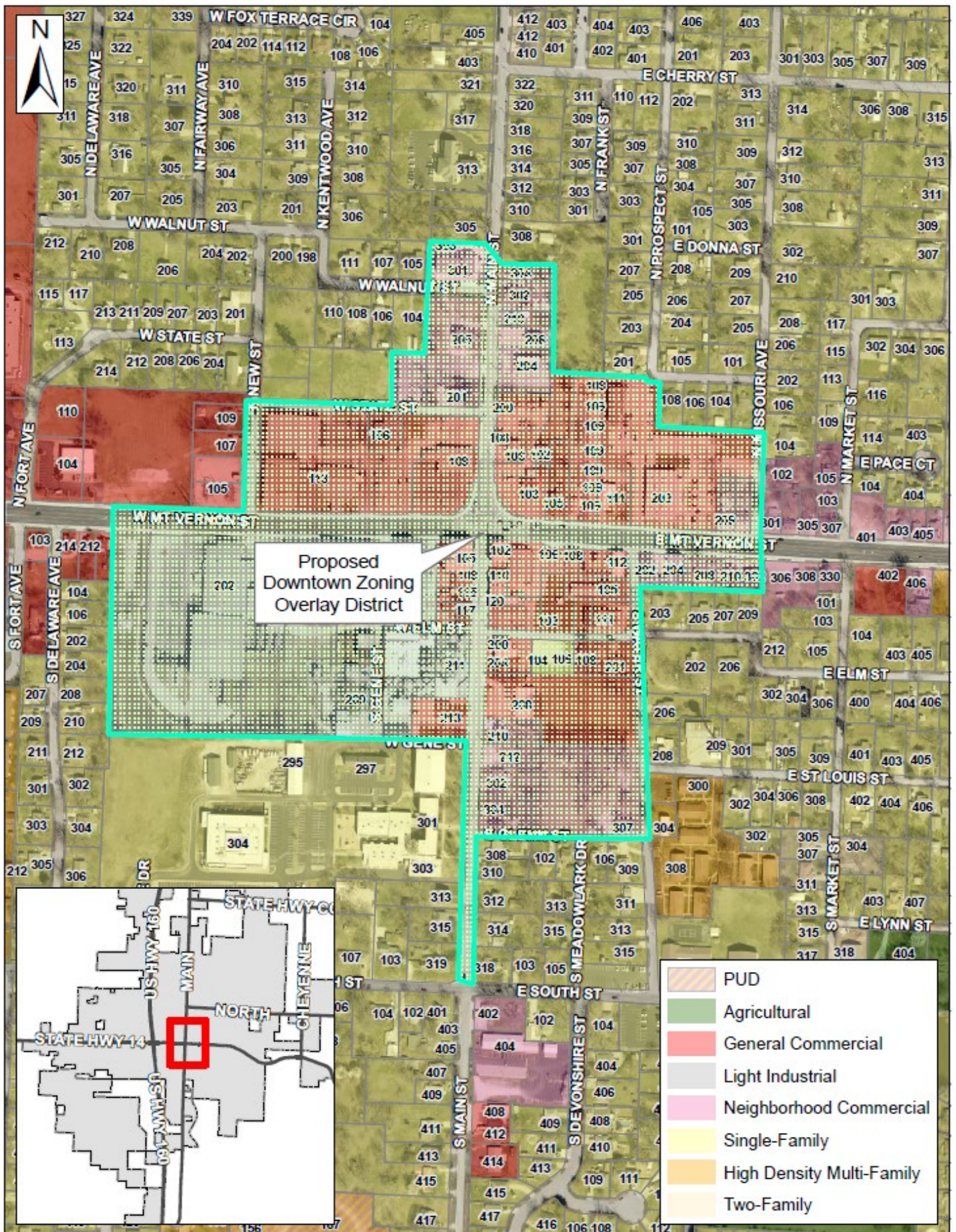
A public hearing for this rezone was held July 7th in front of the Planning and Zoning Commission. In the public hearing for the code revision related to this rezone, a business owner in the downtown area mentioned he would like to see the DTO expand to cover more of North Main Street. With all things considered, the PZ Commission voted 4-0 to recommend approval to City Council.

Recommendation:

The goal of the DTO is to start small in the area that could see the most benefit, then slowly expand as needed. Staff recommend approval of this rezone.

MEMO SUBMITTED BY:

Scott Godbey | Director of Planning and Development
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1 **AN ORDINANCE OF THE COUNCIL OF THE CITY OF NIXA AMENDING THE**
2 **OFFICIAL ZONING MAP BY PLACING THE DOWNTOWN OVERLAY DISTRICT IN**
3 **THE AREA INCLUDING AND ADJACENT TO THE INTERSECTION OF MAIN STREET**
4 **AND MT. VERNON.**

5
6 **WHEREAS** the Nixa City Code has been amended to create a new zoning district
7 called the Downtown Overlay District (DTO); and

8
9 **WHEREAS** the official zoning map does not contain any location for the newly-
10 created Downtown Overlay District; and

11
12 **WHEREAS** Staff proposes amending the official zoning map to place the
13 Downtown Overlay District as shown in Council Bill Exhibit A, attached hereto and
14 incorporated herein, in and around the intersection of Main Street and Mt. Vernon;

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16 **WHEREAS** the Planning and Zoning Commission held a public hearing on the
17 Application at the Commission's July 7, 2026, meeting; and

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19 **WHEREAS** the Commission, after considering the proposed placement, staff's
20 recommendation, and after holding a public hearing, voted 4-0 to issue a recommendation
21 of approval to the City Council; and

22
23 **WHEREAS** the City Council, now having considered the proposed placement,
24 staff's recommendation, and after providing an opportunity for public comment, now
25 desires to rezone the subject property and amend the City's official zoning map.

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27 **NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF**
28 **NIXA, AS FOLLOWS, THAT:**

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30 **SECTION 1:** The Downtown Overlay District shall be placed on the property in and
31 around the intersection of Main Street and Mt. Vernon Street as shown on Council Bill
32 Exhibit A, attached hereto and incorporated herein.

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34 **SECTION 2:** The Director of Planning and Development, pursuant to section 117-
35 57 of the Nixa City Code, shall amend the City's official zoning map, said map being
36 established pursuant to section 117-56 of the Nixa City Code, to reflect the zoning action
37 contemplated by this Ordinance.

38
39 **SECTION 3:** Savings Clause. Nothing in this Ordinance shall be construed to
40 affect any suit or proceeding now pending in any court or any rights acquired, or liability
41 incurred nor any cause or causes of action occurred or existing, under any act or
42 ordinance repealed hereby.

43
44 **SECTION 4:** Severability Clause. If any section, subsection, sentence, clause, or
45 phrase of this Ordinance is for any reason held to be invalid, such decision shall not affect
46 the validity of the remaining portions of this Ordinance. The Council hereby declares that

it would have adopted the Ordinance and each section, subsection, sentence, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared invalid.

SECTION 5: This Ordinance shall be in full force and effect from and after its final passage by the City Council and after its approval by the Mayor, subject to the provisions of section 3.11(g) of the City Charter.

ADOPTED BY THE COUNCIL THIS _____ DAY OF _____ 2026.

ATTEST:

PRESIDING OFFICER

CITY CLERK

APPROVED BY THE MAYOR THIS _____ DAY OF _____ 2026.

ATTEST:

MAYOR

CITY CLERK

APPROVED AS TO FORM:

INTERIM CITY ATTORNEY

