

PLANNING MEMO

TO: Planning Commission
FROM: Erin Reinders, AICP, CPM
RE: Next Steps for Downtown Zoning Ordinance and Map Amendment
DATE: March 4, 2025

SUMMARY: The Common Council requested that the City Manager work with the Planning Commission to update zoning regulations in the Front Street area of Nome. Council expressed concern that the zoning regulations had been too restrictive. The purpose of creating these new districts is to help spur redevelopment or development and to encourage mixed use development in this area. The memo from the February 4, 2025 Planning Commission meeting outlines the process the Planning Commission went through over the past year to create new downtown zoning districts and the required next steps. This memo focuses on outlines the proposed purposes, land uses, dimensional standards, and geographic boundaries that the associated ordinance addresses. Additionally it also highlights some suggested actions - namely reconsidering land uses, participating in a joint PC/CC Work Session on March 24, 2025 and holding a PC Public Hearing on April 1, 2025.

BACKGROUND: Over the course of the past year, the Planning Commission has been preparing new downtown zoning districts. Together, we have gone through the preparation and collaboration phases. The adoption phase will formally begin with the Public Hearing with the Planning Commission, and will continue with two readings including a public hearing at the Common Council level. Exact dates will be determined by public notice requirements, and Commission and Council availability.

Currently, the anticipated process is as follows, which is subject to change. This takes into account 30 day public notice requirements, meeting schedules, and holidays. **The March 24, 2025 Joint PC/CC Work Session and the April 1, 2025 PC Public Hearing are key steps coming up that require the participation of the Planning Commission.**

- March 4 - PC meeting discussion
- **March 24 - Joint PC/CC Work Session**
- **April 1 - PC Public Hearing**
- April 14 - CC First Reading
- June 9 - CC Public Hearing/Second Reading

DISCUSSION: The Planning Commission has reached general consensus with what the purpose of these new zoning districts, the associated land uses, dimensional standards and the geographical boundaries, which are reflected in the ordinance before you for consideration. The following section describes these in more detail. The ordinance also includes a section on performance standards. This ordinance's language matches other districts; it introduces no new proposals.

Purpose. Each zoning district in Nome's Zoning Ordinance has an "intent section" describing the purpose. The purpose statements in the ordinance are listed below, based on the Comprehensive Plan and feedback from this process.

- *Downtown Mixed Use Zoning District: The downtown mixed use zoning district is intended to encourage active commercial use and building development, and contextually appropriate residential uses. (Red Outline in Figure 1)*

- *Downtown Core Mixed Use Zoning District: The downtown core mixed use zoning district is intended to promote redevelopment, encourage active commercial use and building development, and contextually appropriate residential uses. (Green Outline in Figure 1)*

Geographical Boundaries. This ordinance results in the creation of two new zoning districts. The two district areas are combined in the map below, outlined in red (downtown mixed use, see Figure 1) and green (downtown core mixed use, see Figure 1), and is what is represented in the ordinance before you this evening. The only difference between the two districts is minor wording of the intent/purpose statement and the side yard setback. This would allow for zero-foot side yard setbacks from the Nugget Inn to the Polar Bar where such setbacks have generally existed historically (green area).

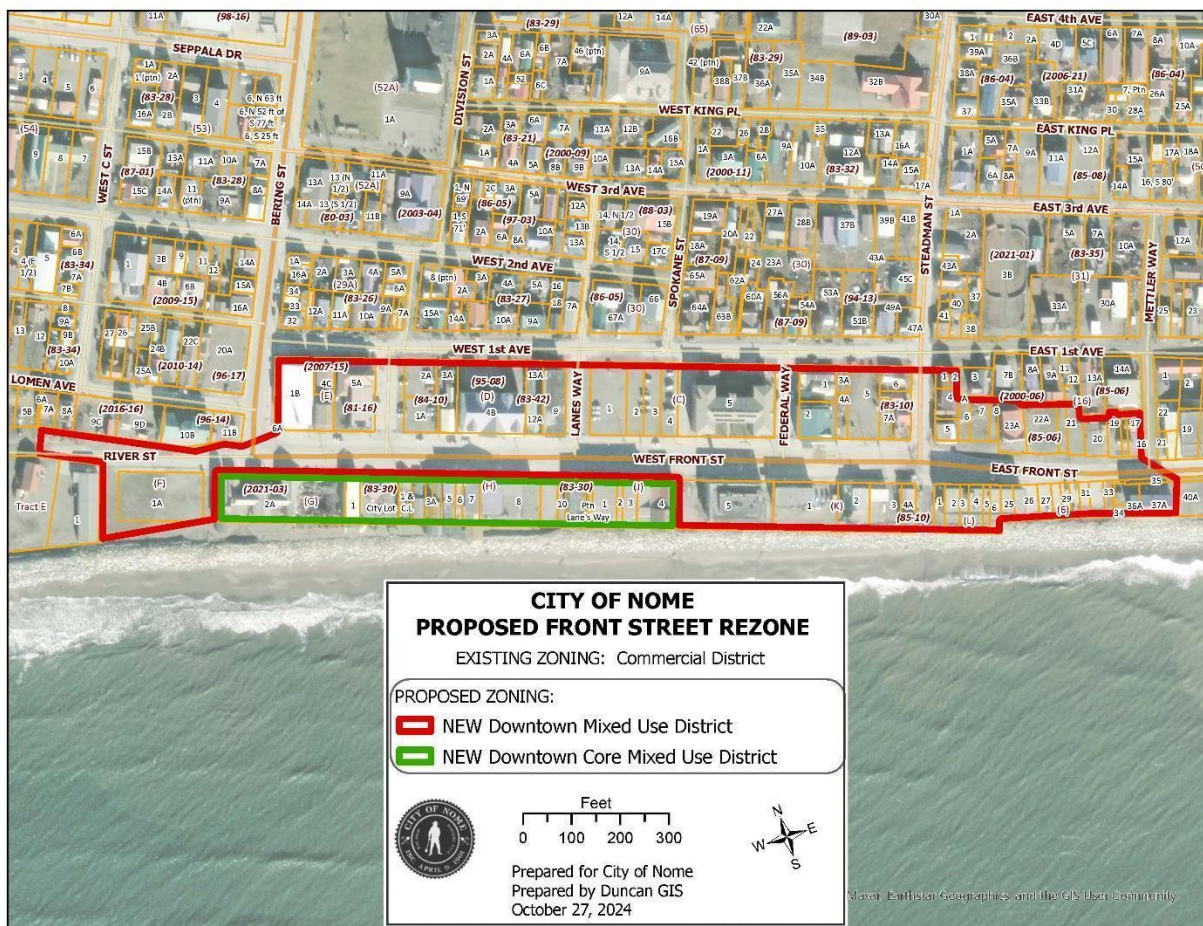


Figure 1: Proposed district boundaries with red and green outlines referenced in this memo.

Dimensional Standards. Both new districts have a 0-foot setback from the ROW (front yard setback); all other zoning districts in the city require a minimum 5-foot setback from the ROW. The table below summarizes the ordinance before you for formal action. **This results in less restrictive setback regulations for both districts, unlike anywhere else in the city.** Reduced minimum setbacks allows for more land to be developed and provides for flexibility in how the site can be designed, like in response to floodplain regulations. Furthermore, the 0-foot side yard setbacks in the Downtown Mixed use Core area better enables redevelopment of structure and lots with existing 0-foot side yard setbacks.

<u>Dimension Standard</u>	<u>Current</u>	<u>Proposed - Downtown Mixed Use (red)</u>	<u>Proposed - Downtown Core Mixed Use (green)</u>
Lot Size	5,000 sf	<i>5,000 sf</i>	<i>5,000 sf</i>
Set back from ROW	10 feet	<i>0 feet</i>	<i>0 feet</i>
Other set back	5 feet	<i>5 feet</i>	<i>0 feet</i>
Set back from the top bank of any drainage ditch	10 feet	<i>10 feet</i>	<i>10 feet</i>
Set back from a closed drainage system	10 feet	<i>10 feet</i>	<i>10 feet</i>

Land Uses. The Planning Commission has been focusing on **reducing barriers to development and allowing for flexibility for the future while being in keeping with the underlying intent/purpose statement in support of commercial and residential development.**

Land use designations are outlined in the ordinance before you. If a land use is identified as Permitted, then it is allowed by right. If a land use is identified as an Accessory Use, then it is allowed when clearly secondary and incidental to the lawful principal uses on the property. This is a new distinction, but is already defined in the code and the uses called out here are clearly accessory in nature. No additional steps are required for Accessory Uses, it is treated just like Permitted Uses. If a land use is identified as Conditional Use the use may be allowed but will need to be considered by the Planning Commission. Finally, if a land use is identified as Not Allowed then it is not allowed in that particular zoning district.

Zoning is a tool that can be used to encourage or discourage specific land uses in particular areas. The question is not simply "Do we need X use in our community?", but "Do we want to see X use downtown, in this particular area?" During the work session, some Council members expressed concern that the list of uses for the new Mixed Use Zoning Districts was more restrictive than when zoned Commercial. It is true that there are some uses that had been allowed that are no longer allowed through this ordinance, however, the reverse is also true. The following table and list summarizes the changes. **The Planning Commission may wish to revisit the land uses in the draft ordinance to see if there are any changes they wish to make, especially considering the fact that the Common Council expressed concerns.**

Use Category	No change	More Restrictive	Less Restrictive	Total
Residential Uses	3	1	2	6
Civic and Institutional Uses	14	0	0	14
Business and Commercial Uses	10	1	2	13
Industrial Uses	9	8	3	20
Total	36	10	7	53