

From: [Bryant Hammond](#)
To: ["Bill Potter"](#)
Cc: [Jeremy Jacobson](#); [Kristine Kienberger](#); ["Eileen Bechtol"](#)
Subject: RE: Zoning Map Amendment
Date: Friday, August 27, 2021 2:18:00 PM

Hi Bill,

Any progress on completing the application? We're approaching the September Planning Commission Meeting and thought I'd check in.

Bryant

From: Bryant Hammond
Sent: Wednesday, August 18, 2021 3:30 PM
To: 'Bill Potter' <bpotter1954@yahoo.com>
Cc: Jeremy Jacobson <JJacobson@nomealaska.org>; Kristine Kienberger <KKienberger@nomealaska.org>; Eileen Bechtol <erbechtol@gmail.com>
Subject: Zoning Map Amendment

Hi Bill,

As you know, on August 3, 2021 the Planning Commission indicated they are amenable to beginning the zoning map amendment process. As you also probably know, the process is a lengthy one due to the approvals needed by the Planning Commission and the Common Council and the public hearing and notice requirements. To begin, the Clerk's Office will need a complete application submitted by you. To date, we have received the attached. Please see step 2 below for the additional application requirements. One through four can be handled by a surveyor. Either George Krier or Eric Tweet will be up to that task. Number five would be best completed by you. A simple narrative format with A – G as headings will suffice. I believe I've sent you a link to the comprehensive plan before. Please let me know if you need it again or can't find it on our website. The Planning Commission already seems amenable to the change. Strongly linking your request to the comprehensive plan will strengthen your case for when it goes before the Common Council.

When the complete application is submitted to the Clerk's Office, we can route it for staff review and present it to the Planning Commission and move forward with the public hearing in step 5. It would be great to get this squared away prior to the next building season.

Let me know if you have any questions,

Bryant

18.170.030 Zoning map amendment application process.

(a) Step 1: Optional Pre-Application Conference. The applicant may attend a pre-application conference with a representative from the city. The purpose of the meeting is to discuss the

zoning map amendment, submittal requirements and review process.

(b) Step 2: Zoning Map Amendment Application Submittal. The applicant shall submit one copy of the complete zoning map amendment application package to the city clerk and shall request that the application be reviewed by the planning commission and common council.

(1) Completed zoning application form, zoning map amendment form, application fee, and fee agreement.

(2) A legal description for all property to be considered for inclusion in a different zoning district.

(3) Current proof of ownership in a form acceptable to the city.

(4) A zoning amendment map of the area included in the proposed change, twenty-four inches high by thirty-six inches wide, with the following information:

(A) North arrow, scale (one inch equals one hundred feet or one inch equals two hundred feet), and date of preparation.

(B) The subdivision or block and lot name of the area included in the proposed amendment at the top of each sheet.

(C) Legal description of area included in the proposed amendment (entire area and individual zoning districts). In unsubdivided property, zoning boundaries shall be determined by a metes and bounds description.

(D) Location and boundaries, including dimensions, of the property(ies) included in the proposed amendment. Note: Zoning boundaries are to be the centerlines of physical streets, roads, highways, alleys, railroad rights-of-way, and channelized waterways, or such lines extended.

(E) The acreage or square footage of the property included in the proposed amendment.

(F) All existing zoning in the proposed redesignated area.

(G) Zoning and existing zoning on all lands adjacent to the proposed redesignated area.

(H) The location and dimensions for all existing public rights-of-way, including streets, and centerlines of watercourses within and adjacent to the property included in the proposed amendment.

(I) The names of all adjoining subdivisions with lines of abutting lots, and departing property lines of adjoining properties not subdivided.

(J) Certificate blocks for surveyor, planning commission, common council, city clerk and recorder.

(K) A digitized copy of the zoning amendment map shall be provided.

(5) A written statement describing the proposal and addressing the following points:

(A) Need for the proposed redesignation;

(B) Present and future impacts on the existing adjacent zoning districts, uses, and physical character of the surrounding area;

(C) Impact of the proposed zoning on area accesses and traffic patterns;

(D) Availability of utilities for any potential development;

(E) Present and future impacts on public facilities and services, including, but not limited to, fire, police, water, sanitation, roadways, parks, schools, and transit;

(F) The relationship between the proposal and the comprehensive plan; and

(G) Public benefits arising from the proposal.

(c) Step 3: Zoning Amendment Application Certification of Completion. Within a reasonable period of time, staff shall either certify the application is complete and in compliance with all submittal requirements or reject it as incomplete and notify the applicant of any deficiencies. The applicant shall then correct any deficiencies in the application package, if necessary, and submit the required number of copies of the corrected application (as specified in the zoning map amendment form) to the city clerk. The original application and all documents requiring a signature shall be signed in blue ink.

(d) Step 4: Final Staff Review and Report to Planning Commission. Staff shall complete a final review of the resubmitted materials and prepare a report to the planning commission explaining how the application is or is not consistent with the criteria for amendments to the official zoning map.

(e) Step 5: Set Zoning Amendment Public Hearing and Complete Public Notification Process. The city clerk shall send notice of public hearing to the applicant, all property owners of record within three hundred feet of the property in question, all mineral interest owners of record for the property, and to the appropriate referral agencies no less than thirty days before the initial planning commission public hearing. The city clerk shall also publish notice in a newspaper of general circulation. For zoning map amendments, the city clerk shall prepare a public hearing notification sign to be posted on the property by the applicant. The hearing may be held no less than thirty days from the date of property posting and newspaper publication. If the zoning amendment request is accompanying another application that is scheduled for public hearings before the planning commission and common council, one public hearing may be held on both applications.

(f) Step 6: Planning Commission Public Hearing and Action on the Zoning Amendment. The planning commission shall hold a public hearing to review the zoning amendment based on the criteria for amendments to the official zoning map. The commission shall then make a recommendation to the common council to approve, conditionally approve, or deny the zoning map amendment application.

(g) Step 7: Finalize Zoning Amendment Based on Planning Commission Comments. The applicant shall revise the zoning amendment application based on planning commission's comments and submit it to the city clerk.

(h) Step 8: Notify Parties of Interest. Not less than thirty days before the date scheduled for the initial common council public hearing, staff shall notify surrounding property owners within three hundred feet, mineral interest owners of record, and other interested parties. The notice shall include the time and place of the public hearing, the nature of the hearing, the location of the subject property, and the applicant's name.

(i) Step 9: Set Common Council Public Hearing and Complete Public Notification Process. The common council shall schedule a public hearing for the purpose of taking action on the zoning map amendment. The city clerk shall publish notice in a newspaper of general circulation. The hearing may be held no less than thirty days from the date of advertising.

(j) Step 10: Common Council Public Hearing and Action on the Zoning Amendment. The common council shall, after receiving the report and recommendations from the planning commission, hold a public hearing and act upon the proposed amendment. Following the required hearing, the common council shall consider the comments and evidence presented at the hearing and evaluate the application in accordance with the criteria listed below and approve, approve with conditions, or deny the application, in whole or in part.

(k) Step 11: Post-Approval Actions.

(1) Upon approval of an amendment to the official zoning map by the common council, the city clerk shall cause an appropriate revision of the official zoning map to be prepared for recording with the recorder. In the event an interested party initiated the zoning amendment, the petitioner shall pay the city's cost for the preparation of the revision to the official zoning map.

(2) The applicant initiating the official zoning map amendment shall have thirty days after approval of the amendment by the common council to submit to the city clerk two original drawings of the approved zoning amendment map for recording, along with the recording fees and all other costs billed by the city for the zoning amendment.

(3) The zoning amendment map shall be prepared by a licensed surveyor or engineer. Inaccurate, incomplete or poorly drawn plans shall be rejected. In addition, the petitioner shall submit one eleven-inch by seventeen-inch hard copy and electronic copy of the zoning amendment map.

(4) Within thirty days of receipt of the zoning amendment map, the city clerk shall review the documents for compliance with the common council's approval, obtain the city officials' signatures and submit the approved zoning amendment map and the ordinance amending the official zoning map to the recorder's office for recordation. (Ord. O-08-09-01 § 2 (part), 2008)

Bryant Hammond
City Clerk

(907) 443-6663

www.nomealaska.org

Nome Code of Ordinances available at:

<https://www.codepublishing.com/AK/Nome/>