

PLANNING MEMO

TO: Planning Commission and Common Council
FROM: Erin Reinders, AICP, CPM
RE: Downtown Zoning Ordinance and Map Amendment
DATE: January 7, 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 this new district is to help spur redevelopment or development and to encourage mixed use development in this area. This memo outlines the process the Planning Commission went through over the past year to create new downtown zoning districts and the required next steps. The memo also outlines the proposed purposes, land uses, dimensional standards, and geographic boundaries that the associated ordinance addresses.

BACKGROUND: Over the course of the year, the Planning Commission has been preparing for a new downtown zoning district. The four primary phases of this creation process are summarized below.

1. Preparation - activities we have been involved with since January of 2024 when the Planning Commission came to general consensus regarding the purpose and direction of this new district. This phase was January – March of 2024.
2. Collaboration - targeted outreach to potential district and informal public notices, community meeting with Planning Commission in April of 2024, memo updating Common Council in April of 2024, ongoing discussion at monthly publicly noticed Planning Commission Meetings to address community feedback. This phase was April – December of 2024.
3. Adoption - formal process directed by municipal code including formal notices and public hearings. This phase is planned to take place primarily January - March of 2025 and is dictated by various 30-day notice requirements.
4. Post Approval Action - formal process directed by municipal code. This would take place post approval planned for March 2025.

We have developed a likely schedule, outlined below, that allows for these notice requirements to be met. Additionally, we have incorporated a Common Council Work session. While not mandated, this helps with project complexity and recognizes Planning Commission contributions.

- January 7, 2025: Planning Commission Public Hearing
- January 13, 2025: Common Council Work session
- January 27, 2025: Common Council First Reading
- March 24, 2025: Common Council Second Reading and Public Hearing

DISCUSSION: The Planning Commission has reached general consensus with what they see as the purpose of these new zoning districts, the associated land uses, dimensional standards and the

geographical boundaries, which are reflected in the ordinance before for consideration. The following section describes these in more detail. The ordinance 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 below)*
- *Downtown Core Mixed Use Zoning District: The downtown mixed use zoning district is intended to promote redevelopment, encourage active commercial use and building development, and contextually appropriate residential uses. (Green Outline below)*

Geographical Boundaries. The Planning Commission spent a great deal of time working to determine the potential geographical boundaries for this new zoning district. In March, they determined to begin the collaboration phase with the boundary as outlined below, which includes all of the currently zoned Commercial District downtown and a small area of General Use and Industrial Zoning Districts to the west of Bering Street. The Commission understood that feedback throughout the process might reduce and refine this boundary.

After considering the feedback received at the community meeting, the Planning Commission determined to refine the boundaries to include only the Commercial District boundaries on the west side and to have the western boundary be Mettler, with the area between Steadman Street and Mettler Way focused only on the Front Street frontage.



Figure 1: Area considered for zero-foot side yard setbacks

In July, the Planning Commission agreed on the overall boundary, but wanted to call another area out specifically. This would allow for zero-foot side yard setbacks from the Nugget Inn to the Polar Bar where such setbacks have generally existed historically (in the highlighted area on the right). This area was briefly discussed in May following the April Community Open House, and came up again at the July meeting. The resulting areas are combined in the map below, outlined in red (downtown mixed use) and green (downtown core mixed use), and is what is represented in the ordinance before you. The only difference between the two districts at this point is minor wording of the intent/purpose statement and the side yard setback.

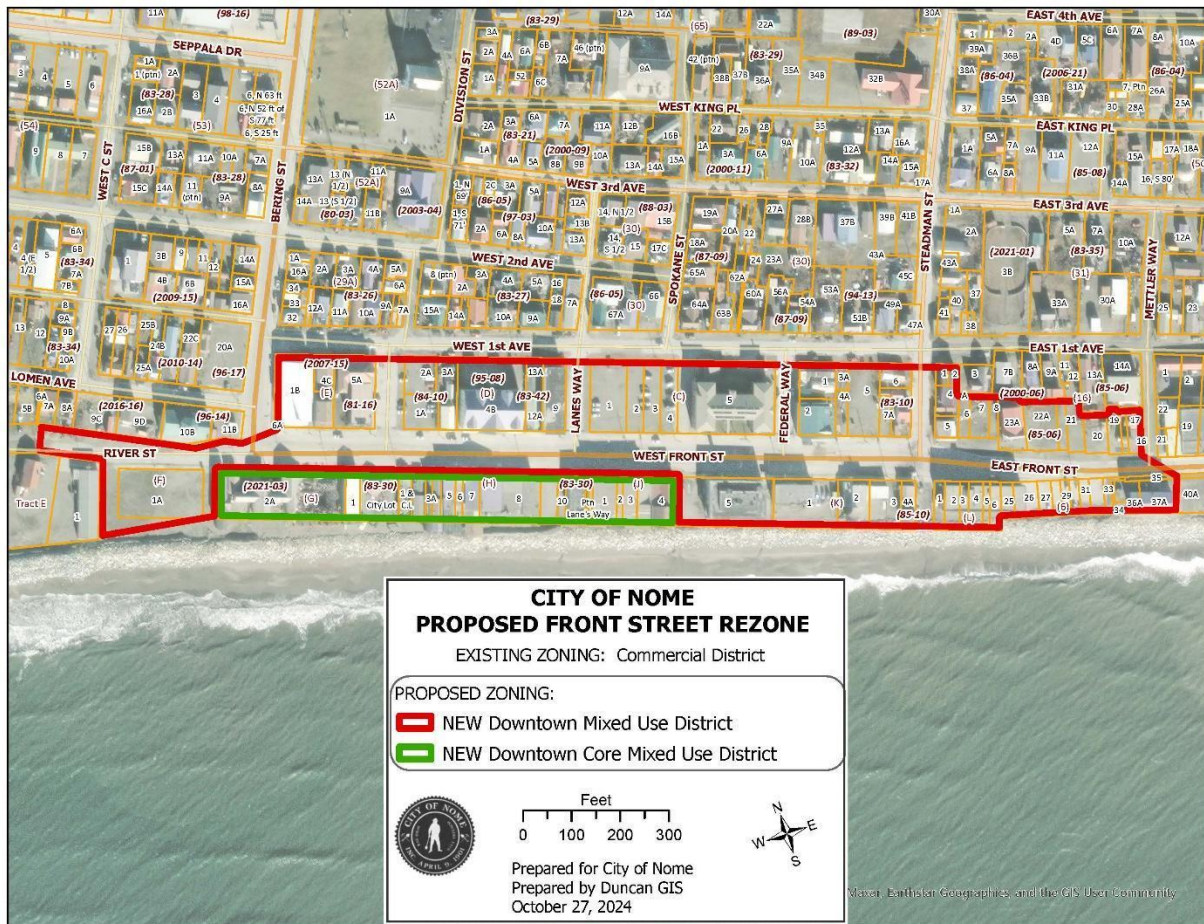


Figure 2: Proposed district boundaries with red and green outlines referenced in this memo.

Dimensional Standards. There was discussion at the Community Meeting about the distinction between setbacks from the ROW and other setbacks. Snow drifts and loads regarding neighboring structures, as well fire risk and access, were mentioned as concerns related to the 0-foot side yard setbacks. In July, the Planning Commission further discussed the side yard setback concerns, when Commissioners focused on a certain area for 0-foot side yard setbacks and to leave the majority of the area at 5-foot side yard setbacks. The table below summarizes the ordinance before you for formal action.

<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	5,000 sf	5,000 sf
Set back from ROW	10 feet	0 feet	0 feet
Other set back	5 feet	5 feet	0 feet
Set back from the top bank of any drainage ditch	10 feet	10 feet	10 feet

Set back from a closed drainage system	10 feet	10 feet	10 feet
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Land Uses. The table below outlines the permitted land uses, accessory and conditional uses, as represented in the ordinance. Commissioners discussed each of the land uses for the proposed zoning district with consideration to the feedback received at the Community Meeting and previous discussion and feedback at various Planning Commission Meetings. Their focus was on reducing barriers to development and allowing for flexibility for the future while being in keeping with the underlying intent/purpose statement.

If a land use is identified as P–Permitted, then it is allowed by right. If a land use is identified as an A-Accessory Use, then it is allowed when clearly secondary and customarily incidental to the lawful principal uses on the lot and which are for the convenience, enjoyment, or necessity of the principal use of the property. This is a new distinction in the code, but is already defined and the uses called out here are clearly accessory in nature. If a land use is identified as CU - 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 NA - Not allowed then it is not allowed in that particular zoning district.

<u>Land Use / Zoning District</u>	<u>General</u>	<u>Residential</u>	<u>Commercial</u>	<u>Industrial</u>	<u>Resource Development</u>	<u>Open Space</u>	<u>Proposed - Downtown Mixed Use (red)</u>	<u>Proposed - Downtown Core Mixed Use (green)</u>	<u>Notes</u>
Residential uses									
Single family dwellings	P	P	CU	CU	CU	NA	CU	CU	Changed from Not Allowed in July Meeting
Duplex dwellings	P	P	CU	CU	CU	NA	CU	CU	Changed from Not Allowed in July Meeting
Multiple-family dwelling	P	P	CU	CU	CU	NA	P	P	
Mobile homes and mobile home parks	P	P	CU	CU	CU	NA	NA	NA	
Residential use of the upper floor above a commercial or industrial use	P	CU	CU	CU	CU	NA	A	A	Clarified as Accessory Use at December Meeting
On premise dwelling for owner or caretaker of commercial use	P	P	P	P	CU	NA	A	A	Clarified as Accessory Use at December Meeting
Civic/Institutional/Public uses									
Parks and Playgrounds	P	P	P	CU	CU	P	P	P	
Churches	P	P	P	NA	CU	NA	P	P	

Public and governmental buildings and uses	P	NA	P	P	CU	NA	P	P	
Fire station and emergency medical aid station	P	P	P	P	CU	NA	P	P	
Schools	P	P	P	NA	CU	NA	P	P	
Museums and cultural facilities	P	CU	P	NA	CU	CU	P	P	
Public utility facilities or structures	CU	NA	NA	P	CU	P	CU	CU	
Snow dump and storage sites	CU	CU	CU	P	CU	NA	CU	CU	
Youth correction facilities	CU	CU	CU	NA	CU	NA	CU	CU	<i>Changed from Not Allowed in July Meeting</i>
Halfway houses	CU	CU	CU	NA	CU	NA	CU	CU	<i>Changed from Not Allowed in July Meeting</i>
Correctional facilities	CU	NA	CU	NA	CU	NA	CU	CU	<i>Changed from Not Allowed in July Meeting</i>
Cemetery	NA	NA	NA	P	CU	NA	NA	NA	
Interpretative area or visitors center	P	CU	P	NA	CU	P	P	P	
Public watershed area and related facilities	NA	NA	NA	NA	CU	P	NA	NA	
Business/Commercial/Retail uses									
Hospitals, medical and dental clinics	P	NA	P	NA	CU	NA	P	P	
Home businesses and occupations	P	P	CU	CU	CU	NA	A	A	<i>Clarified as Accessory Use at December Meeting</i>
Private storage, including junk, or small warehouse associated with residential use/home occupations	NA	NA	CU	CU	CU	NA	NA	NA	
Private storage, not including junk, or small warehouse associated with residential use/home occupations	P	P	CU	CU	CU	NA	CU	CU	
Retail and wholesale businesses	P	CU	P	P	CU	NA	P	P	
Offices	P	NA	P	P	CU	NA	P	P	

Restaurants, taverns and entertainment establishments	P	NA	P	P	CU	NA	P	P	
Hotels and motels	P	NA	P	NA	CU	NA	P	P	
Funeral homes	P	NA	P	P	CU	NA	P	P	
Clubs or fraternal, religious or philanthropic associations and union hall	P	NA	P	NA	CU	NA	P	P	
Personal service businesses	P	P	P	NA	CU	NA	P	P	
Recreational facilities	P	P	P	P	CU	NA	P	P	<i>Changed from Conditional Use in July Meeting</i>
Day care houses and facilities	P	P	CU	NA	CU	NA	P	P	<i>Changed from Conditional Use in July Meeting</i>
Industrial uses									
Outdoor storage, including junk, as an accessory use to any permitted or conditional use in the district	NA	NA	P	P	CU	NA	NA	NA	
Outdoor storage, "not" including junk, as an accessory use to any permitted or conditional use in the district	P	P	P	P	CU	NA	CU	CU	
Incidental, small-scale manufacturing, processing, and storage of goods for wholesale or retail sale on the premises	P	P	P	P	CU	NA	A	A	<i>Clarified as Accessory Use at December Meeting</i>
Service stations	CU	NA	P	P	CU	NA	CU	CU	<i>Changed from Not Allowed in July Meeting</i>
Vehicle and equipment repair facilities	NA	NA	CU	P	CU	NA	CU	CU	<i>Changed from Not Allowed in July Meeting</i>
Manufacturing, processing, assembling, wholesale or storage	NA	NA	NA	P	CU	NA	CU	CU	<i>Changed from Not Allowed in July Meeting</i>
Boat marinas and docks	NA	NA	P	P	CU	NA	CU	CU	
Marine transportation and port facilities	NA	NA	P	P	CU	NA	CU	CU	
Navigation aids and facilities	NA	NA	P	P	CU	NA	CU	CU	<i>Changed from Not</i>

									<i>Allowed in July Meeting</i>
Bulk Petroleum storage, including aviation fuel	NA	NA	NA	P	CU	NA	NA	NA	
Junkyards, commercial, and auto wrecking yards	NA	NA	NA	P	CU	NA	NA	NA	
Aircraft storage, loading, parking, repair and aviation related facilities	NA	NA	NA	P	CU	NA	NA	NA	
Warehousing and storage	CU	NA	P	P	CU	NA	CU	CU	<i>Changed from Not Allowed in July Meeting</i>
Air transport terminals for passengers and freight	NA	NA	NA	P	CU	NA	NA	NA	
Transportation facilities, including bus and taxi operations	NA	NA	P	P	CU	NA	P	P	<i>Changed from Conditional Use in July Meeting</i>
Dredging and filling	NA	NA	CU	P	CU	NA	CU	CU	<i>Changed from Not Allowed in July Meeting</i>
Dog kennels and lots	NA	NA	CU	CU	CU	NA	CU	CU	<i>Changed from Not Allowed in July Meeting</i>
Mining of minerals, aggregate, sand, gravel or other earth products; and accessory uses and buildings	NA	NA	CU	NA	P	NA	NA	NA	
Helicopter landing pad	P	NA	CU	P	CU	NA	CU	CU	<i>Changed from Not Allowed in July Meeting</i>