

PLANNING MEMO

TO: Common Council
Brooks Chandler, Interim City Manager
FROM: Erin Reinders
RE: Crew Camps
DATE: November 25, 2024

SUMMARY

The development and use of Crew Camps in the City of Nome is, and will continue to be, of interest as a property use. However, the Zoning Ordinance does not currently address or allow this use. The ordinance before you this evening provides a definition for crew camps and identifies what zoning district it should be allowed either by right, or conditionally. This, in turn, provides for a transparent and predictable process for projects involving a Crew Camp. This memo provides additional context to this action item and responds to some of the discussion topics identified at the October Council meeting. Staff recommends approval.

PREVIOUS COUNCIL ACTION

The Planning Commission reviewed and approved a Crew Camp Ordinance at their October Meeting. The Common Council had its first reading of the ordinance at the October 28, 2024, meeting, and moved to proceed to the second reading and public hearing, to be held on November 25, 2024.

BACKGROUND

Title 18 of the Code of Ordinance of Nome outlines Zoning Districts and identifies the respective permitted and conditional land uses for each district. If a conditional use requires a Planning Commission review and consideration before a use or construction may begin in that district. If a use is permitted then a stop at the Planning Commission is not required. Section 18.30.030 addresses permitted and conditional uses. It states: *Uses designated as permitted uses are allowed in a zoning district as a matter of right. Uses classified as conditional uses are permitted upon the planning commission's approval of a conditional use permit. Unless a use is designated as a permitted use or conditional use or is classified as a legal nonconforming use, it is not permitted...* In other words, if a land use is not identified as a *permitted* or *conditional* use for a district, then it is not allowed.

As new or unlisted uses are identified, Section 18.30.040 does allow for the Planning Commission to make a determination as to whether or not that use could be reasonably interpreted to fit into a currently identified land use. It states: *Uses not otherwise identified in this title may be proposed for inclusion as a permitted use or a conditional use in any zoning district. In order to provide for such uses, the classification of any new or unlisted use shall be made by the planning commission to determine if the use can be reasonably interpreted to fit into a similar use category described in this title. Unless such determination is made, the use is not permitted.*

Oftentimes, however, there are instances where new uses are unique and should be specifically defined and associated with appropriate Zoning Districts. This offers transparency and predictability for all impacted stakeholders (ie: community members, potential applicants, staff, Planning Commission, Common Council Members), now and in the future. In the case of crew camps, the topic of this evening's action item, this is a land use that does not clearly fit into another existing land use.

One might suggest that a Crew Camp fall under the definition of a Multiple Family Dwelling. In addition to sleeping quarters, Crew Camps allow for additional temporary and ancillary uses associated with them compared to Multiple Family Dwellings, such as storage of project construction materials, office space and group feeding areas. The common structure of Crew Camps would not fit into the definition of Multiple Family Dwellings. Section 10.20.010 defines a Multiple Family Dwellings as: *a building or a portion thereof designed for occupancy by three or more families living independently in separate dwelling units, which may or may not share common entrances and/or other spaces*. The referenced dwelling unit is defined as: *any building or portion thereof which contains living facilities, including provisions for sleeping, eating, cooking, and sanitation, for residential use*. This does not seem to allow for shared areas for eating, cooking, and sanitation.

DISCUSSION

There is and will continue to be an interest in Crew Camps in Nome, and this use is not currently allowed for or addressed in the Zoning Ordinance. The ordinance before you this evening provides a definition for crew camps and identifies what zoning district it should be allowed by right or conditionally. Crew camps would be allowed by right in the Industrial zoning district. They would be conditionally allowed specifically in General Use and Commercial districts. Specific conditions would be that the Crew Camp has to be: tied to a project, the conditional use permit is time constrained, and a removal schedule is provided. Crew Camps, like all other uses, would be identified as a condition use in the Resource Development zoning district.

Time Constraint for Conditional Use. Council was interested in why the 5-year time constraint for the condition use permit for a Crew Camp is included in the ordinance. That is based on the estimated time frame of a construction program, including delays. If the associated projects took longer than that timeframe they would need to request an extension to the Planning Commission with an updated schedule.

Land Use Matrix of Uses. Council also requested the current land use matrix from the Zoning Ordinance. This was emailed to Council members and is also attached to this memo. This lists all the land uses that are currently identified in the City Code; and identifies what zoning district they are allowed, not allowed, or conditionally allowed.

Permanent Housing Solutions. Contemplating temporary Crew Camps highlighted Council's interest in more permanent housing options for the community, and there was some discussion as to how these two topics related. By their very existence, the use of temporary Crew Camps enables existing permanent housing stock to be used by community members rather than by temporary construction crews.

There was also interest in what the Crew Camp could be used for after a project was completed, and if that could be renovated to serve as permanent housing for the community. This would be a change of use, and in some situations a future owner could transform a construction camp into a different use so long as it was in keeping with the associated zoning district and building codes.

Alternatively, instead of constructing a temporary Crew Camp, a company could develop Multiple Family Dwelling, perhaps in the form of studio or efficiency apartments for their workers. These could serve as lodging for construction crew in the short term, but the underlying use would be Multiple Family Dwellings. Upon completion of the construction project, these units would be added to the permanent rental housing stock of the community. Similarly, instead of constructing a temporary Crew Camp, a

company could develop a mobile home park with individual mobile homes. This would only address the housing aspect of the Crew Camp, however, and not the other uses associated with and included in the definition of Crew Camps (i.e. storage of project construction materials and office space).

In addition to the Crew Camp ordinance, Council may consider looking into the definition of a Multiple Family Dwelling and if that could be altered to clearly allow for shared space for eating and cooking. This might allow for a dormitory or bunkhouse sort of development that would allow for more affordable permanent rental housing, for work crews and community members alike.

ALTERNATIVES

Two primary alternatives exist:

- Council could approve Ordinance O-24-11-02.
- Council could disapprove Ordinance O-24-11-02 and send it back to the Planning Commission with feedback for further review and action.

RECOMMENDATION

Staff Recommend Approval of Ordinance O-24-11-02.

PROPOSED MOTION

I move to adopt Ordinance O-24-11-02.

ATTACHMENTS

- Current Matrix of Uses
- Ordinance O-24-11-02