

CITY OF NOME, ALASKA
ORDINANCE NO. O-25-XX-XX

AN ORDINANCE AMENDING THE ZONING MAP AND AMENDING TITLE 18 OF THE NOME CODE OF ORDINANCES WITH A NEW CHAPTER 18.62 DOWNTOWN MIXED USE DISTRICT, A NEW CHAPTER 18.66 DOWNTOWN CORE MIXED USE DISTRICT, AND AMENDMENTS TO SECTIONS 18.110.010 AND 18.30.010

IT IS HEREBY ORDAINED by the Nome Common Council as follows:

SECTION 1. Classification. This is a code ordinance.

SECTION 2. Amendment of 18.30.010. Section 18.30.010 Zoning Districts is hereby amended with the following revisions: [additions are underlined]

- (a) In order to carry out the provision of this title, the city is divided into the following zoning districts:

| Zoning District | Map Designation |
|--------------------------------|------------------------|
| General Use | GU |
| Residential | R |
| Commercial | C |
| <u>Downtown Mixed Use</u> | <u>DM</u> |
| <u>Downtown Core Mixed Use</u> | <u>DCM</u> |
| Industrial | I |
| Resource Development | RD |
| Open Space/Recreational | OSR |
| Flood Hazard Overlay | FHO |

SECTION 3. Addition of Chapter 18.62. Title 18 is hereby amended with the addition of a new Chapter 18.62 Downtown Mixed Use District to read as follows:

Sections:

18.62.010 Intent.

18.62.020 Permitted uses and structures.

18.62.025 Accessory uses.

18.62.030 Conditional uses and structures.

18.62.040 Dimensional requirements.

18.62.050 Performance standards.

18.62.010 Intent.

The downtown mixed use district is intended to encourage active commercial uses and building development, and contextually appropriate residential uses.

18.62.020 Permitted uses and structures.

The following principal uses are permitted in the downtown mixed use district:

- (a) Multiple-family dwellings.
- (b) Parks and Playgrounds.
- (c) Churches.
- (d) Public and governmental buildings and uses.
- (e) Fire station and emergency medical aid station.
- (f) Schools.
- (g) Museums and cultural facilities.
- (h) Interpretative area or visitors center.
- (i) Hospitals, medical and dental clinics.
- (j) Retail and wholesale businesses.
- (k) Offices.
- (l) Restaurants, taverns and entertainment establishments.
- (m) Hotels and motels.
- (n) Funeral homes.
- (o) Clubs or fraternal, religious or philanthropic associations and union hall.
- (p) Personal service businesses.
- (q) Recreational facilities.
- (r) Day care houses and facilities.
- (s) Transportation facilities, including bus and taxi operations.

18.62.025 Accessory uses.

(a) Accessory Uses Allowed. In accordance with the provisions of this section, accessory uses that are 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 uses are allowed in the downtown mixed use district. Such accessory uses include but are not limited to:

- (1) Residential use of the upper floor above a commercial or industrial use;
- (2) Dwelling for owner or caretaker of commercial use;
- (3) Home businesses and occupations; and
- (4) Small-scale manufacturing, processing, and storage of goods for a wholesale or retail sale use.

(b) General Standards. Accessory uses shall:

- (1) not be allowed on a lot prior to establishment of a principal use or structure;
- (2) **not be allowed to the extent specifically prohibited or limited by this title; and**
- (3) comply with all other provisions of this title, the building codes adopted by this code of ordinances, and other applicable ordinances.

18.62.030 Conditional uses and structures.

The following uses are permitted with a conditional use permit in the downtown mixed use district:

- (a) Single family dwellings.
- (b) Duplex dwellings.
- (c) Public utility facilities or structures.
- (d) Snow dump and storage sites.
- (e) Youth correctional facilities.
- (f) Halfway houses.
- (g) Correctional facilities.
- (h) Private storage, not including junk, or small warehouse associated with residential use/home occupations.
- (i) Outdoor storage, not including junk, as an accessory use to any permitted or conditional use in the district.
- (j) Service stations.
- (k) Vehicle and equipment repair facilities.
- (l) Manufacturing, processing, assembling, wholesale or storage.
- (m) Boat marinas and docks.
- (n) Marine transportation and port facilities.
- (o) Navigation aids and facilities.
- (p) Warehousing and storage.
- (q) Dredging and filling.
- (r) Dog kennels and lots.
- (s) Helicopter landing pad.

18.62.040 Dimensional requirements.

The following dimensional requirements shall apply to all uses in the downtown mixed use district unless approved by variance as provided in Chapter 18.140 NCO:

- (a) Lot Size. The minimum lot area shall be five thousand square feet.
- (b) Building Setbacks.
 - (1) Buildings shall be set back at least zero feet from all dedicated rights-of-way.
 - (2) Buildings shall be set back at least five feet from all other lot boundary lines.
 - (3) Buildings shall be set back at least ten feet from the top bank of any drainage ditch.
 - (4) Buildings shall be set back at least ten feet from a closed drainage system.

18.62.050 Performance standards.

All development shall be subject to the following performance standards:

- (a) Drainage. The development shall provide a drainage system that is designed to deposit all runoff into either an engineered drainage system or into natural drainage in conformance with the city's drainage management plan.
- (b) Site Development Standards. All development on lands in this zoning district shall conform to the following:
 - (1) Development activities shall not adversely impact other properties by causing damaging alteration of surface water drainage, surface water ponding, slope failure, erosion, or siltation. The property owner and developer shall take such steps, including installation of culverts or buffers, or other methods, as necessary to comply with this requirement.
 - (2) Upon completion of earthwork operations, all exposed slopes, cleared, filled, and disturbed soils shall be given sufficient protection to prevent subsequent erosion.
 - (3) Drainage will be stabilized using best management practices and approved by the city.

SECTION 4. Addition of Chapter 18.66. Title 18 is hereby amended with the addition of a new Chapter 18.66 Downtown Core Mixed Use District to read as follows:

Sections:

18.66.010 Intent.

18.66.020 Permitted uses and structures.

18.66.025 Accessory uses.

18.66.030 Conditional uses and structures.

18.66.040 Dimensional requirements.

18.66.050 Performance standards.

18.66.010 Intent.

The downtown core mixed use district is intended to promote redevelopment, encourage active commercial uses and building development, and contextually appropriate residential uses.

18.66.020 Permitted uses and structures.

The following principal uses are permitted in the downtown core mixed use district:

- (a) Multiple-family dwellings.
- (b) Parks and Playgrounds.
- (c) Churches.
- (d) Public and governmental buildings and uses.
- (e) Fire station and emergency medical aid station.
- (f) Schools.
- (g) Museums and cultural facilities.
- (h) Interpretative area or visitors center.
- (i) Hospitals, medical and dental clinics.

- (j) Retail and wholesale businesses.
- (k) Offices.
- (l) Restaurants, taverns and entertainment establishments.
- (m) Hotels and motels.
- (n) Funeral homes.
- (o) Clubs or fraternal, religious or philanthropic associations and union hall.
- (p) Personal service businesses.
- (q) Recreational facilities.
- (r) Day care houses and facilities.
- (s) Transportation facilities, including bus and taxi operations.

18.66.025 Accessory uses.

(a) Accessory Uses Allowed. In accordance with the provisions of this section, accessory uses that are 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 uses are allowed in the downtown core mixed use district. Such accessory uses include but are not limited to:

- (1) Residential use of the upper floor above a commercial or industrial use;
- (2) Dwelling for owner or caretaker of commercial use;
- (3) Home businesses and occupations; and
- (4) Small-scale manufacturing, processing, and storage of goods for a wholesale or retail sale use.

(b) General Standards. Accessory uses shall:

- (1) not be allowed on a lot prior to establishment of a principal use or structure;
- (2) not be allowed to the extent specifically prohibited or limited by this title; and
- (3) comply with all other provisions of this title, building codes adopted by this code of ordinances, and other applicable ordinances.

18.66.030 Conditional uses and structures.

The following uses are permitted with a conditional use permit in the downtown core mixed use district:

- (a) Single family dwellings.
- (b) Duplex dwellings.
- (c) Public utility facilities or structures.
- (d) Snow dump and storage sites.
- (e) Youth correctional facilities.
- (f) Halfway houses.
- (g) Correctional facilities.
- (h) Private storage, not including junk, or small warehouse associated with residential use/home occupations.

- (i) Outdoor storage, not including junk, as an accessory use to any permitted or conditional use in the district.
- (j) Service stations.
- (k) Vehicle and equipment repair facilities.
- (l) Manufacturing, processing, assembling, wholesale or storage.
- (m) Boat marinas and docks.
- (n) Marine transportation and port facilities.
- (o) Navigation aids and facilities.
- (p) Warehousing and storage.
- (q) Dredging and filling.
- (r) Dog kennels and lots.
- (s) Helicopter landing pad.

18.66.040 Dimensional requirements.

The following dimensional requirements shall apply to all uses in downtown core mixed use district unless approved by variance as provided in Chapter 18.140 NCO:

- (c) Lot Size. The minimum lot area shall be five thousand square feet.
- (d) Building Setbacks.
 - (1) Buildings shall be set back at least zero feet from all dedicated rights-of-way.
 - (2) Buildings shall be set back at least zero feet from all other lot boundary lines.
 - (3) Buildings shall be set back at least ten feet from the top bank of any drainage ditch.
 - (4) Buildings shall be set back at least ten feet from a closed drainage system.

18.66.050 Performance standards.

All development shall be subject to the following performance standards:

- (c) Drainage. The development shall provide a drainage system that is designed to deposit all runoff into either an engineered drainage system or into natural drainage in conformance with the city's drainage management plan.
- (d) Site Development Standards. All development on lands in this zoning district shall conform to the following:
 - (1) Development activities shall not adversely impact other properties by causing damaging alteration of surface water drainage, surface water ponding, slope failure, erosion, or siltation. The property owner and developer shall take such steps, including installation of culverts or buffers, or other methods, as necessary to comply with this requirement.
 - (2) Upon completion of earthwork operations, all exposed slopes, cleared, filled, and disturbed soils shall be given sufficient protection to prevent subsequent erosion.

(3) Drainage will be stabilized using best management practices and approved by the city.

SECTION 5. Revision of Section 18.110.010 Matrix of Permitted and Conditional Uses.
Section 18.110.010 Matrix of Permitted and Conditional Uses is hereby amended with the following revisions: [additions are underlined]

| Zoning District | General Use | Residential | Commercial | <u>Downtown Mixed Use</u> | <u>Downtown Core Mixed Use</u> | Industrial | Resource Development | Open Space/Rec |
|---|-------------|-----------------|-----------------|---------------------------|--------------------------------|-----------------|----------------------|----------------|
| Residential Uses | | | | | | | | |
| Single-family dwellings | Permitted | Permitted | Conditional Use | <u>Conditional Use</u> | <u>Conditional Use</u> | Conditional Use | Conditional Use | Not Allowed |
| Duplex dwellings | Permitted | Permitted | Conditional Use | <u>Conditional Use</u> | <u>Conditional Use</u> | Conditional Use | Conditional Use | Not Allowed |
| Multiple-family dwelling | Permitted | Permitted | Conditional Use | <u>Permitted</u> | <u>Permitted</u> | Conditional Use | Conditional Use | Not Allowed |
| Mobile homes and mobile home parks | Permitted | Permitted | Conditional Use | <u>Not Allowed</u> | <u>Not Allowed</u> | Conditional Use | Conditional Use | Not Allowed |
| Residential use of the upper floor above a commercial or industrial use | Permitted | Conditional Use | Conditional Use | <u>Accessory Use</u> | <u>Accessory Use</u> | Conditional Use | Conditional Use | Not Allowed |

| | | | | | | | | |
|---|-----------|-----------------|-----------|----------------------|----------------------|-----------------|-----------------|-----------------|
| On-premises dwelling for owner or caretaker of commercial use | Permitted | Permitted | Permitted | <u>Accessory Use</u> | <u>Accessory Use</u> | Permitted | Conditional Use | Not Allowed |
| Civic/Institutional/Public Uses | | | | | | | | |
| Parks and playgrounds | Permitted | Permitted | Permitted | <u>Permitted</u> | <u>Permitted</u> | Conditional Use | Conditional Use | Permitted |
| Churches | Permitted | Permitted | Permitted | <u>Permitted</u> | <u>Permitted</u> | Not Allowed | Conditional Use | Not Allowed |
| Public and governmental buildings and uses | Permitted | Not Allowed | Permitted | <u>Permitted</u> | <u>Permitted</u> | Permitted | Conditional Use | Not Allowed |
| Fire station and emergency medical aid station | Permitted | Permitted | Permitted | <u>Permitted</u> | <u>Permitted</u> | Permitted | Conditional Use | Not Allowed |
| Schools | Permitted | Permitted | Permitted | <u>Permitted</u> | <u>Permitted</u> | Not Allowed | Conditional Use | Not Allowed |
| Museums and cultural facilities | Permitted | Conditional Use | Permitted | <u>Permitted</u> | <u>Permitted</u> | Not Allowed | Conditional Use | Conditional Use |

| | | | | | | | | |
|--|-----------------|-----------------|-----------------|------------------------|------------------------|-------------|-----------------|-------------|
| Public utility facilities or structures | Conditional Use | Not Allowed | Conditional Use | <u>Conditional Use</u> | <u>Conditional Use</u> | Permitted | Conditional Use | Permitted |
| Snow dump and storage sites | Conditional Use | Conditional Use | Conditional Use | <u>Conditional Use</u> | <u>Conditional Use</u> | Permitted | Conditional Use | Not Allowed |
| Youth correction facilities | Conditional Use | Conditional Use | Conditional Use | <u>Conditional Use</u> | <u>Conditional Use</u> | Not Allowed | Conditional Use | Not Allowed |
| Halfway houses | Conditional Use | Conditional Use | Conditional Use | <u>Conditional Use</u> | <u>Conditional Use</u> | Not Allowed | Conditional Use | Not Allowed |
| Correctional facilities | Conditional Use | Not Allowed | Conditional Use | <u>Conditional Use</u> | <u>Conditional Use</u> | Not Allowed | Conditional Use | Not Allowed |
| Cemetery | Not Allowed | Not Allowed | Not Allowed | <u>Not Allowed</u> | <u>Not Allowed</u> | Permitted | Conditional Use | Not Allowed |
| Interpretative area or visitor's center | Permitted | Conditional Use | Permitted | <u>Permitted</u> | <u>Permitted</u> | Not Allowed | Conditional Use | Permitted |
| Public watershed area and related facilities | Not Allowed | Not Allowed | Not Allowed | <u>Not Allowed</u> | <u>Not Allowed</u> | Not Allowed | Conditional Use | Permitted |
| Business/Commercial/Retail Uses | | | | | | | | |

| | | | | | | | | |
|---|-------------|--------------------|--------------------|----------------------------|----------------------------|--------------------|--------------------|-------------|
| Hospitals, medical and dental clinics | Permitted | Not Allowed | Permitted | <u>Permitted</u> | <u>Permitted</u> | Not Allowed | Conditional Use | Not Allowed |
| Home businesses and occupations | Permitted | Permitted | Conditional Use | <u>Accessory Use</u> | <u>Accessory Use</u> | Conditional Use | Conditional Use | Not Allowed |
| Private storage, including junk, or small warehouse associated with residential use/home occupations | Not Allowed | Not Allowed | Conditional Use | <u>Not Allowed</u> | <u>Not Allowed</u> | Conditional Use | Conditional Use | Not Allowed |
| Private storage, not including junk, or small warehouse associated with residential use/home occupations | Permitted | Permitted | Conditional Use | <u>Conditional Use</u> | <u>Conditional Use</u> | Conditional Use | Conditional Use | Not Allowed |
| Retail and wholesale businesses | Permitted | Conditional Use | Permitted | <u>Permitted</u> | <u>Permitted</u> | Permitted | Conditional Use | Not Allowed |
| Offices | Permitted | Not Allowed | Permitted | <u>Permitted</u> | <u>Permitted</u> | Permitted | Conditional Use | Not Allowed |

| | | | | | | | | |
|--|-----------|-------------|-----------------|------------------|------------------|-------------|-----------------|-------------|
| Restaurants, taverns and entertainment establishments | Permitted | Not Allowed | Permitted | <u>Permitted</u> | <u>Permitted</u> | Permitted | Conditional Use | Not Allowed |
| Hotels and motels | Permitted | Not Allowed | Permitted | <u>Permitted</u> | <u>Permitted</u> | Not Allowed | Conditional Use | Not Allowed |
| Funeral home | Permitted | Not Allowed | Permitted | <u>Permitted</u> | <u>Permitted</u> | Permitted | Conditional Use | Not Allowed |
| Clubs or fraternal, religious or philanthropic associations and union hall | Permitted | Not Allowed | Permitted | <u>Permitted</u> | <u>Permitted</u> | Not Allowed | Conditional Use | Not Allowed |
| Personal service businesses | Permitted | Permitted | Permitted | <u>Permitted</u> | <u>Permitted</u> | Not Allowed | Conditional Use | Not Allowed |
| Recreational facilities | Permitted | Permitted | Permitted | <u>Permitted</u> | <u>Permitted</u> | Permitted | Conditional Use | Not Allowed |
| Day care houses and facilities | Permitted | Permitted | Conditional Use | <u>Permitted</u> | <u>Permitted</u> | Not Allowed | Conditional Use | Not Allowed |
| Industrial Uses | | | | | | | | |

| | | | | | | | | |
|--|-----------------|-------------|-----------------|------------------------|------------------------|-----------|-----------------|-------------|
| Outdoor storage, including junk, as an accessory use to any permitted or conditional use in the district | Not Allowed | Not Allowed | Permitted | <u>Not Allowed</u> | <u>Not Allowed</u> | Permitted | Conditional Use | Not Allowed |
| Outdoor storage, not including junk, as an accessory use to any permitted or conditional use in the district | Permitted | Permitted | Permitted | <u>Conditional Use</u> | <u>Conditional Use</u> | Permitted | Conditional Use | Not Allowed |
| Incidental, small-scale manufacturing, processing, and storage of goods for wholesale or retail sale on the premises | Permitted | Permitted | Permitted | <u>Accessory Use</u> | <u>Accessory Use</u> | Permitted | Conditional Use | Not Allowed |
| Service stations | Conditional Use | Not Allowed | Permitted | <u>Conditional Use</u> | <u>Conditional Use</u> | Permitted | Conditional Use | Not Allowed |
| Vehicle and equipment repair facilities | Not Allowed | Not Allowed | Conditional Use | <u>Conditional Use</u> | <u>Conditional Use</u> | Permitted | Conditional Use | Not Allowed |

| | | | | | | | | |
|--|-------------|-------------|-------------|------------------------|------------------------|-----------|-----------------|-------------|
| Manufacturing, processing, assembling, wholesale or storage | Not Allowed | Not Allowed | Not Allowed | <u>Conditional Use</u> | <u>Conditional Use</u> | Permitted | Conditional Use | Not Allowed |
| Boat marinas and docks | Not Allowed | Not Allowed | Permitted | <u>Conditional Use</u> | <u>Conditional Use</u> | Permitted | Conditional Use | Not Allowed |
| Marine transportation and port facilities | Not Allowed | Not Allowed | Permitted | <u>Conditional Use</u> | <u>Conditional Use</u> | Permitted | Conditional Use | Not Allowed |
| Navigation aids and facilities | Not Allowed | Not Allowed | Permitted | <u>Conditional Use</u> | <u>Conditional Use</u> | Permitted | Conditional Use | Not Allowed |
| Bulk petroleum storage, including aviation fuel | Not Allowed | Not Allowed | Not Allowed | <u>Not Allowed</u> | <u>Not Allowed</u> | Permitted | Conditional Use | Not Allowed |
| Junkyards, commercial and auto wrecking yards | Not Allowed | Not Allowed | Not Allowed | <u>Not Allowed</u> | <u>Not Allowed</u> | Permitted | Conditional Use | Not Allowed |
| Aircraft storage, loading, parking, repair and aviation-related facilities | Not Allowed | Not Allowed | Not Allowed | <u>Not Allowed</u> | <u>Not Allowed</u> | Permitted | Conditional Use | Not Allowed |

| | | | | | | | | |
|---|-----------------|-------------|-------------|------------------------|------------------------|-----------------|-----------------|-------------|
| Warehousing and storage | Conditional Use | Not Allowed | Permitted | <u>Conditional Use</u> | <u>Conditional Use</u> | Permitted | Conditional Use | Not Allowed |
| Air transport terminals for passengers and freight | Not Allowed | Not Allowed | Not Allowed | <u>Not Allowed</u> | <u>Not Allowed</u> | Permitted | Conditional Use | Not Allowed |
| Transportation facilities, including bus and taxi operations | Not Allowed | Not Allowed | Permitted | <u>Permitted</u> | <u>Permitted</u> | Permitted | Conditional Use | Not Allowed |
| Dredging and filling | Not Allowed | Not Allowed | Not Allowed | <u>Conditional Use</u> | <u>Conditional Use</u> | Permitted | Conditional Use | Not Allowed |
| Dog kennels and lots | Not Allowed | Not Allowed | Not Allowed | <u>Conditional Use</u> | <u>Conditional Use</u> | Conditional Use | Conditional Use | Not Allowed |
| Mining of minerals, aggregate, sand, gravel or other earth products; and accessory uses and buildings | Not Allowed | Not Allowed | Not Allowed | <u>Not Allowed</u> | <u>Not Allowed</u> | Conditional Use | Permitted | Not Allowed |
| Helicopter landing pad | Permitted | Not Allowed | Permitted | <u>Conditional Use</u> | <u>Conditional Use</u> | Permitted | Conditional Use | Not Allowed |

SECTION 6. Amendment Zoning Map. The Zoning Map is hereby amended to designate the locations of these new zoning districts.

SECTION 7. Effective Date. This ordinance is effective upon passage.

APPROVED and SIGNED the XX day of XXXX, 2025.

JOHN K. HANDELAND
Mayor

ATTEST: _____
DAN GRIMMER
City Clerk

DRAFT