

## PLANNING MEMO

TO: Planning Commission  
Glenn Steckman, City Manager  
FROM: Erin Reinders  
RE: Downtown Zoning Update  
DATE: August 6, 2024

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**SUMMARY:** This memo outlines the considerations for the Planning Commission within the Collaboration phase of creating a new downtown zoning district(s). Today's meeting provides an opportunity for the Planning Commission to discuss and reflect on how best to proceed. Specific feedback is requested on the **purpose statement, geographic boundaries, dimensional standards, and land uses**. Once consensus is reached on these areas, we can work to begin the Adoption phase.

**BACKGROUND:** To review, 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 new districts is to help spur redevelopment or development and to encourage mixed use development in this particular area. Once consensus is again reached at the Planning Commission level, the formal adoption process for both the proposed map and zoning code changes can begin. The formal process is directed by municipal code including formal mailed and posted notices as well as public hearings.

**DISCUSSION:** Today's discussion is focused primarily on reviewing past consensus, as well as considering a two-district approach and the related proposed **purpose, boundaries, dimensional standards, and land uses**, with community feedback in mind. July's meeting ended with the concert of two different zoning districts. There are three primary approaches forward:

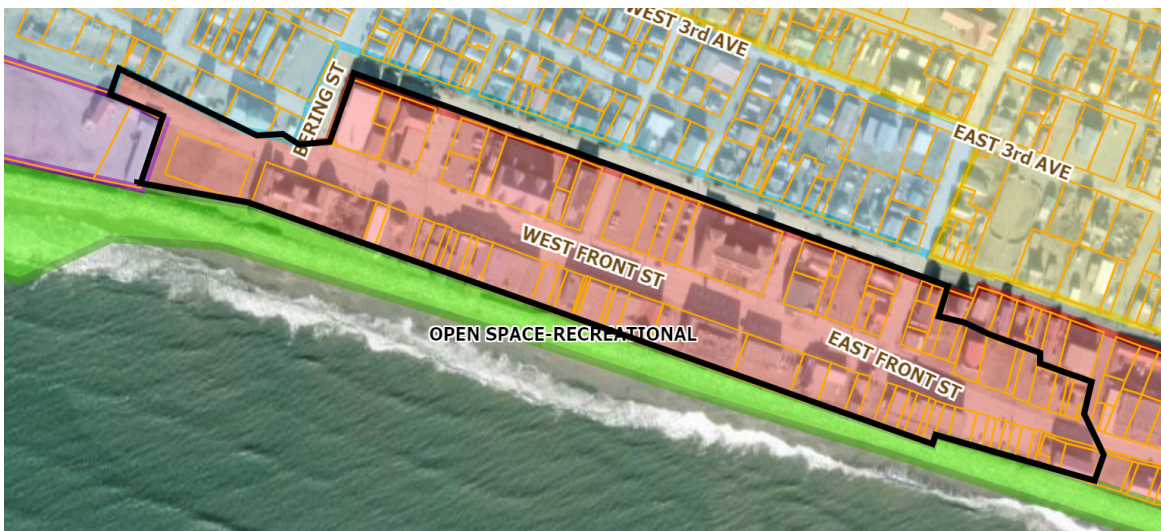
1. Keep the one new zoning district and clarify that the minimum side-yard setback is 0-foot, but that setbacks between 0 and 5 feet are encouraged. This would clarify that the 0 or 5 feet are not the maximum setback allowed, which may reduce some of the concerns brought up already. This approach would allow currently nonconforming structures to redevelop, and provide the flexibility to others in this district should they choose to develop or redevelop in the future.
2. Keep the one new zoning district and explore if there is a way to modify code language to allow for 0-foot side yard setbacks in a defined area or where they already exist. This could have some legal implications, may be challenging to administer and not transparent for the community or users of the municipal code.
3. Develop two different zoning districts with the only difference being the side yard setback standard. This would be a clear and transparent way of defining different setback possibilities or dimensional requirements. It also, however, creates a relatively small zoning district with little distinction.

**Purpose.** Each zoning district has an "intent section", describing the purpose. Currently, the proposed wording is as follows: ***The downtown mixed use zoning district is intended to encourage active commercial use and building development, contextually appropriate residential uses, and allow for ample parking.*** This is based on the Comprehensive Plan and feedback received through this process. I suggest we remove "*and allow for ample parking*" because we do not address parking, but land uses and dimensional standards here.

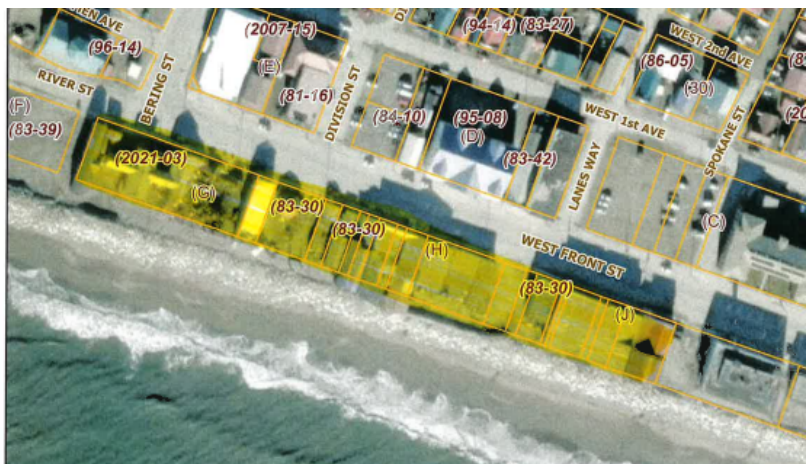
If we develop a second new district we need to broaden this discussion to include a name and propose for each distinct. The following is provided for your consideration:

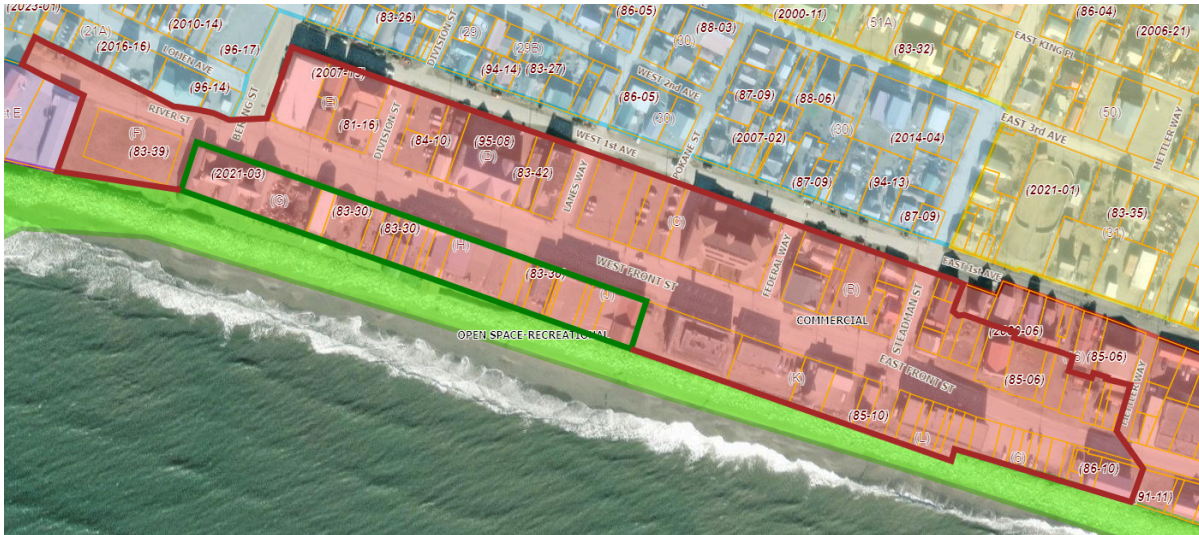
- ***Downtown Mixed Use Zoning District: The downtown mixed use zoning district is intended to encourage active commercial use and building development, and contextually appropriate residential uses. (Red Outline below)***
- ***Downtown Core Mixed Use Zoning District: The downtown mixed use zoning district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

**Geographical Boundaries.** 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. This map below is a visual representation of what was discussed at the May Planning Commission Meeting, for consideration and feedback in July.



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 (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), for your consideration.





**Dimensional Standards.** There was discussion at the Community Meeting about the distinction between setbacks from the ROW and other setbacks. Snow drifts and loads with respect to 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 decided to focus 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 outlines the current consensus as of the July meeting and is provided below for confirmation and incorporates the two-district approach.

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

**Land Uses.** The July Planning Commission Meeting, 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. Discussion focused on reducing barriers to development and allowing for flexibility for the future while being in keeping with the underlying intent statement. The following table outlines what is currently proposed, which includes the same land uses for both new districts being contemplated. Currently, the only difference between the two distinct approaches is the setback. (P - Permitted; CU - Conditional Use; and NA - Not allowed)

Land Use / Zoning District	General	Residential	Commercial	Industrial	Resource Development	Open Space	Proposed - Downtown Mixed Use (red)	Proposed - Downtown Core Mixed Use (green)	Notes
<b>Residential uses</b>									
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	P	P	
On premise dwelling for owner or caretaker of commercial use	P	P	P	P	CU	NA	P	P	
<b>Civic/Institutional/Public uses</b>									
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	Changed from Not Allowed in July Meeting
Halfway houses	CU	CU	CU	NA	CU	NA	CU	CU	Changed from Not Allowed in July Meeting
Correctional facilities	CU	NA	CU	NA	CU	NA	CU	CU	Changed from Not Allowed in July Meeting
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	
<b>Business/Commercial/Retail uses</b>									
Hospitals, medical and dental clinics	P	NA	P	NA	CU	NA	P	P	
Home businesses and occupations	P	P	CU	CU	CU	NA	P	P	



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

Junkyards, commercial, and auto wrecking yards	NA	NA	NA	P	CU	NA	<b>NA</b>	<b>NA</b>	
Aircraft storage, loading, parking, repair and aviation related facilities	NA	NA	NA	P	CU	NA	<b>NA</b>	<b>NA</b>	
Warehousing and storage	CU	NA	P	P	CU	NA	<b>CU</b>	<b>CU</b>	<i>Changed from Not Allowed in July Meeting</i>
Air transport terminals for passengers and freight	NA	NA	NA	P	CU	NA	<b>NA</b>	<b>NA</b>	
Transportation facilities, including bus and taxi operations	NA	NA	P	P	CU	NA	<b>P</b>	<b>P</b>	<i>Changed from Conditional Use in July Meeting</i>
Dredging and filling	NA	NA	CU	P	CU	NA	<b>CU</b>	<b>CU</b>	<i>Changed from Not Allowed in July Meeting</i>
Dog kennels and lots	NA	NA	CU	CU	CU	NA	<b>CU</b>	<b>CU</b>	<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	<b>NA</b>	<b>NA</b>	
Helicopter landing pad	P	NA	CU	P	CU	NA	<b>CU</b>	<b>CU</b>	<i>Changed from Not Allowed in July Meeting</i>