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By: Luke Hopkins, Mayor
Introduced: January 14, 2010

FAIRBANKS NORTH STAR BOROUGH

ORDINANCE NO. 2010 –

AN ORDINANCE AMENDING TITLE 18 OF THE FAIRBANKS NORTH STAR BOROUGH CODE OF ORDINANCES BY ESTABLISHING A DOWNTOWN SUPPORTING COMMERCIAL ZONING DISTRICT, RETAIL HOT SPOT ZONING DISTRICT, DOWNTOWN CORE DEVELOPMENT STANDARDS AND ADDING DEFINITIONS.

WHEREAS, the Vision Fairbanks Downtown Plan was adopted August 21, 2008 as an element of the Fairbanks North Star Borough Comprehensive Plan; and,

WHEREAS, the Vision Fairbanks Downtown Plan is intended to guide the future economic development of downtown Fairbanks by fostering private investment, creating jobs, adding commerce, increasing the property tax base, and boosting vitality downtown; and,

WHEREAS, the Vision Fairbanks Downtown Plan identifies strategies for implementation including developing downtown development standards to be utilized to create new proposed zoning districts; and,

WHEREAS, through public participation, the Fairbanks Downtown Association in conjunction with the Fairbanks North Star Borough has created a new downtown supporting commercial zoning district, a retail hot spot district, downtown core development standards and new definitions proposed for addition to the Borough's zoning code; and,

CODE AMENDMENTS ARE SHOWN IN LEGISLATIVE FORMAT
Text to be *added* is underlined
Text to be *deleted* is [BRACKETED AND CAPITALIZED]

33 WHEREAS, the Downtown Supporting Commercial District and supplementary
34 regulations will be used to provide a downtown supporting commercial framework and
35 provides for retail and commercial uses that meet the day-to-day needs of workers,
36 residents and hotels that cater to business travelers and tourists; and,

37
38 WHEREAS, the Retail Hot Spot District will be used to create a retail hot spot
39 and is necessary to create a competitive, whole and integrated retail environment.

40
41 NOW THEREFORE BE IT ORDAINED by the Assembly of the Fairbanks North
42 Star Borough.

43
44 Section 1. Classification. This ordinance is of a general and permanent nature
45 and shall be codified.

46
47 Section 2. Section 18.06.010(B) pertaining to Definitions shall be amended by
48 adding the following definitions:

49
50 “Artist’s Studio” a place of work for an artist, artisan, or craftsperson, including persons
51 engaged in the application, teaching, or performance of fine arts such as but not limited
52 to drawing, vocal or instrumental music, painting, sculpture, and writing.

53
54 “Athletic Club” means an establishment having members who pay a fee to use its health
55 and fitness facilities and equipment.

56
57 “Chamfered corner” means the edge of a corner that is beveled or angled off, usually at
58 a 45 degree angle.

59
60 “Facade, Building” means a side or sides of a building with a ground-floor customer
61 entrance.

62

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63 “Health Center” means a building or institution where medical services are offered or a
64 group of doctors practice.

65
66 Section 3. Title 18 of the Fairbanks North Star Borough Code of Ordinances is
67 amended by adding the following Chapter:

68
69 Chapter 18.29
70 Downtown Supporting Commercial District

71 Sections:

- 72 18.29.010 Intent.
- 73 18.29.020 Use Regulations.
- 74 18.29.030 Standards

75
76 18.29.010 Intent.

77 This District is intended to provide for service uses (sale of services) and/or retail uses
78 (sale of goods and restaurants) in the downtown area to meet the day-to-day needs of
79 workers, residents and hotels that cater to business travelers and tourists.

80
81 18.29.020 Use Regulations.

82 A. Permitted Uses. In the Downtown Supporting Commercial District, permitted uses
83 are:

- 84 1. Amusement establishments;
- 85 2. Animal hospitals and veterinary clinics;
- 86 3. Antique shops;
- 87 4. Artist studio;
- 88 5. Athletic clubs;
- 89 6. Beauty parlors and barber shops;
- 90 7. Bank and other financial institutions;
- 91 8. Banquet halls;
- 92 9. Bicycle stores, sales, rental and repair;
- 93 10. Bingo parlors and gambling halls;
- 94 11. Blueprinting and photocopying establishments;
- 95 12. Book, stationery and school supply stores;
- 96 13. Business, public and governmental offices;
- 97 14. Camera stores, sales and repair;

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- 98 15. Candy and ice cream stores;
99 16. Catalog stores;
100 17. Catering establishments and other food vending services;
101 18. Church buildings;
102 19. Clothing stores;
103 20. Clubs and lodges, private, fraternal and religious;
104 21. Department stores;
105 22. Drug stores;
106 23. Dwelling units, above ground floor;
107 24. Electrical and household appliance stores, sales and repair;
108 25. Employment agencies;
109 26. Express and mailing offices;
110 27. Food stores, grocery stores, meat markets, bakeries, delicatessens;
111 28. Furniture stores;
112 29. Furriers, sales, storage and repair;
113 30. Garden supply and seed stores;
114 31. Gift and souvenir stores and novelty shops;
115 32. Hardware stores;
116 33. Health centers;
117 34. Hearing aid and eyeglass shops;
118 35. Hobby shops;
119 36. Hotels;
120 37. Interior decorating stores;
121 38. Jewelry stores;
122 39. Laundromats;
123 40. Locksmiths;
124 41. Museums and art galleries;
125 42. Musical instrument stores, sales and repair;
126 43. Newspaper offices;
127 44. Office supply stores;
128 45. Parcel delivery and mail order services;
129 46. Parking garages below grade or above ground floor;
130 47. Paint, glass and wallpaper stores;
131 48. Pawn shops;
132 49. Pet stores and animal grooming shops;
133 50. Photography supply, developing and processing stores;
134 51. Plumbing and Heating stores;
135 52. Post offices;
136 53. Printing and publishing establishments;
137 54. Professional offices, ~~above ground floor;~~
138 55. Public recreation buildings and community centers;
139 56. Public Safety Services;

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- 140 57. Radio and television broadcasting studios;
- 141 58. Record stores;
- 142 59. Rental services (except outdoor and heavy equipment);
- 143 60. Restaurants, cafes and tea rooms;
- 144 61. Schools: art, music, dance, business, trade and similar educational uses;
- 145 62. Shoe stores, sales and repair;
- 146 63. Sporting goods stores;
- 147 64. Suntan parlors;
- 148 65. Tailor shops;
- 149 66. Taxicab stands and dispatching offices;
- 150 67. Theaters and movie houses;
- 151 68. Tobacco shops;
- 152 69. Toy stores;
- 153 70. Variety and discount stores.

154
155 B. Conditional Uses, In the Downtown Supporting Commercial District, conditional
156 uses are:

- 157 1. Plazas, parks and open spaces.
- 158 2. Principal buildings may be setback from required build-to lines to accommodate
- 159 permitted uses necessitating open space for outdoor seating, benches, landscaping,
- 160 fountains, artwork, and other pedestrian amenities.

161
162 18.29.030 Standards.

163 In the Downtown Supporting Commercial District, Standards are:

164
165 A. Lot Area. There shall be no minimum lot area except as may be required by the
166 State of Alaska Department of Environmental Conservation in areas where community
167 sewer and water is unavailable.

168
169 B. Downtown Core development standards. See Chapter 18.50 FNSBC.

170
171 C. Required yards for all buildings. Front, side, and rear yards shall not be required.

172
173 D. Building Height. Unlimited.

174
175 E. Parking. No parking required.

176
177 F. Signs. See Chapter 18.50 FNSBC.

178
179 G. Street intersection visibility Chapter 18.50 FNSBC is not required.

180
181

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182
183 Section 4. Title 18 of the Fairbanks North Star Borough Code of Ordinances is
184 amended by adding the following Chapter:

185

186

Chapter 18.30

187

Retail Hot Spot District

188

Sections:

189

18.30.010 Intent.

190

18.30.020 Use Regulations.

191

18.30.030 Standards

192

193 18.30.010 Intent. This designation is intended to provide for the location of ground-
194 floor retail uses in downtown core areas. This district encourages continuous, adjoining
195 retail establishments that engage in the sale of merchandise and restaurants only in
196 order to promote an active downtown.

197

18.30.020 Use Regulations.

198

A. Permitted ground-floor retail uses in this zone are:

199

1. Antique shops;

200

2. Beauty and hair salons;

201

3. Bicycle stores, sales, rental and repair;

202

4. Book, stationery and school supply stores;

203

5. Camera stores, sales and repair;

204

6. Candy and ice cream stores;

205

7. Catalog stores;

206

8. Clothing stores;

207

9. Department stores;

208

10. Drug stores;

209

11. Dwelling units, above ground floor;

210

12. Electrical and household appliance stores, sales and repair;

211

13. Food stores, grocery stores, meat markets, bakeries, delicatessens;

212

14. Furniture stores;

213

15. Furriers, sales, storage and repair;

214

16. Gift and souvenir stores and novelty shops;

215

17. Hardware stores;

216

18. Hearing aid and eyeglass shops;

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- 217 19. Hobby shops;
- 218 20. Interior decorating stores;
- 219 21. Jewelry stores;
- 220 22. Musical instrument stores, sales and repair;
- 221 23. Office supply stores;
- 222 24. Paint, glass and wallpaper stores;
- 223 25. Pawn shops;
- 224 26. Pet stores and animal grooming shops;
- 225 27. Photography supply, developing and processing stores;
- 226 28. Plumbing and Heating stores;
- 227 29. Professional offices, above ground floor;
- 228 30. Record stores;
- 229 31. Restaurants, cafes and tea rooms;
- 230 32. Shoe stores, sales and repair;
- 231 33. Sporting goods stores;
- 232 34. Tobacco shops;
- 233 35. Toy stores;
- 234 36. Variety and discount stores.

235
236 B. Conditional Uses. In the Retail Hot Spot District, conditional uses are:

- 237 1. Plazas, parks and open spaces.
- 238 2. Principal buildings may be setback from required build-to lines to accommodate
- 239 permitted uses necessitating open space for outdoor seating, benches, landscaping,
- 240 fountains, artwork, and other pedestrian amenities.

241
242 18.30.030 Standards.

243 In the Retail Hot Spot District, Standards are:

244 A. Lot Area. There shall be no minimum lot area except as may be required by the

245 State of Alaska Department of Environmental Conservation in areas where community

246 sewer and water is unavailable.

247
248 B. Downtown Core development standards. See Chapter 18.50 FNSBC,

249
250 C. Required yards for all buildings. Front, side, and rear yards shall not be required.

251
252 D. Building Height. Unlimited.

253
254 E. Parking. No parking required. Parking lots, service bays/loading bays, vehicular

255 curb cuts and parking garage entrances are prohibited. Rolled curbs may be allowed

256 for emergency vehicle access.

257
258 F. Signs. See Chapter 18.50 FNSBC.

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259
260 G. Street intersection visibility Chapter 18.50 FNSBC is not required.

261
262

263 Section 5. Chapter 18.50, Supplementary Regulations, is hereby amended by
264 adding a Section 18.50.210, Downtown Core Development Standards:

265

266 18.50.210 Downtown Core Development Standards.

267 A. Required build-to lines for principal buildings.

268 1. Principal building ground floor facades shall be located on front lot lines when the
269 adjoining road right-of-way width is 56 feet or greater.

270 2. Principal building ground-floor facades shall be located on a build-to line 28 feet
271 from the center line of the road when the adjoining road right-of-way width is less than
272 56 feet.

273 3. Façade windows and walls may be recessed up to 18 inches to accommodate
274 columns or other architectural elements that are located on front lot lines and build-to
275 lines.

276 4. Principal buildings located on corner lots shall may have 10 foot chamfered
277 corners or 20 foot radius intersections at the ground floor level.

278 5. The requirements of this section will be interpreted to allow for a reasonable
279 modification to the build-to line to ensure access is available to persons with disabilities.

280

281 B. Building Entrances.

282 1. Customer entrances must be located on the ground-floor facing the a public right-
283 of-way and may be recessed up to 6 feet to allow the entry door to open and close
284 without projecting into the public right-of-way.

285 2. A principal building ground-floor facade located on a corner lot may provide a
286 customer entrance at the corner.

287

288 C. Ground-floor Transparency Requirements.

289 1. In the Downtown Supporting Commercial district, any side of a principal building
290 located 20 feet or less from a front lot line must have a minimum of 50 percent
291 transparent glass.

292 2. In the Retail Hot Spot district, any side of a principal building located 20 feet or
293 less from a front lot line must have a minimum of 70 percent transparent glass.

294 3. Transparency is measured along a line at 5 feet above the ground along the
295 entire building side.

296 4. Frosted, tinted, reflective glass or other types of glass that diminish transparency
297 is prohibited.

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PASSED AND APPROVED THIS _____ DAY OF _____, 2010.

Mike Musick
Presiding Officer

ATTEST:

APPROVED:

Mona Lisa Drexler, CMC
Municipal Borough Clerk Borough Attorney

A. René Broker

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