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2 Diane Hutchison
3 Karl Kassel
4 Referred to the Planning
5 Commission: April 28, 2011
6

7 FAIRBANKS NORTH STAR BOROUGH

8
9 ORDINANCE NO. 2011-31

10
11 AN ORDINANCE AMENDING TITLE 18 OF THE FAIRBANKS NORTH STAR
12 BOROUGH CODE OF ORDINANCES BY ESTABLISHING A DOWNTOWN
13 SUPPORTING COMMERCIAL ZONING DISTRICT, RETAIL HOT SPOT DISTRICT,
14 DOWNTOWN CORE DEVELOPMENT STANDARDS, ADDING NEW DEFINITIONS
15 AND MAKING PROVISIONS FOR PARKING
16

17 WHEREAS, the Vision Fairbanks Downtown Plan, adopted as a
18 development guideline in the Fairbanks North Star Borough Comprehensive Plan, is
19 intended to guide the future economic development of downtown Fairbanks by fostering
20 private investment, creating jobs, adding commerce, increasing the property tax base,
21 and boosting vitality downtown; and
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23 WHEREAS, the Vision Fairbanks Downtown Plan identifies strategies for
24 implementation including developing downtown development standards and new
25 proposed zoning districts; and
26

27 WHEREAS, through public participation that included a number of
28 downtown businesses, the Fairbanks Downtown Association in conjunction with the
29 Fairbanks North Star Borough has created a new downtown supporting commercial
30 zoning district, a retail hot spot district, downtown core development standards and new
31 definitions proposed for addition to the Borough's zoning code; and
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33 WHEREAS, the Downtown Supporting Commercial District and
34 supplementary regulations will be used to provide a downtown supporting commercial

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35 framework and provides for retail and commercial uses that meet the day-to-day needs
36 of workers, 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
39 spot and is necessary to create a competitive, whole and integrated retail environment;
40 and

41
42 WHEREAS, downtown businesses will have the option to rezone their
43 properties to comply with the Downtown Supporting Commercial District and the Retail
44 Hot Spot District requirements.

45
46 NOW THEREFORE BE IT ORDAINED by the Assembly of the Fairbanks
47 North Star Borough.

48
49 Section 1. Classification. This ordinance is of a general and permanent
50 nature and shall be codified.

51
52 Section 2. Section 18.06.010(B) pertaining to Definitions shall be
53 amended by adding the following definitions:

54
55 “Artist’s Studio” a place of work for an artist, artisan, or craftsman, including persons
56 engaged in the application, teaching, or performance of fine arts such as but not limited
57 to drawing, vocal or instrumental music, painting, sculpture, and writing.

58
59 “Athletic Club” means an establishment having members who pay a fee to use its health
60 and fitness facilities and equipment.

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

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

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

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

Chapter 18.29
Downtown Supporting Commercial District

Sections:

- 18.29.010 Intent.
- 18.29.020 Use Regulations.
- 18.29.030 Standards

18.29.010 Intent.

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

18.29.020 Use Regulations.

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

- 1. Amusement establishments;
- 2. Animal hospitals and veterinary clinics;
- 3. Antique shops;
- 4. Art galleries;

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- 93 5. Artist studio;
94 6. Athletic clubs;
95 7. Beauty and hair salons;
96 8. Bank and other financial institutions;
97 9. Banquet halls;
98 10. Bicycle stores, sales, rental and repair;
99 11. Bingo parlors and gambling halls;
100 12. Blueprinting and photocopying establishments;
101 13. Book, stationery and school supply stores;
102 14. Business, public and governmental offices;
103 15. Camera stores, sales and repair;
104 16. Candy and ice cream stores;
105 17. Catalog stores;
106 18. Catering establishments and other food vending services;
107 19. Church buildings;
108 20. Clothing stores;
109 21. Clubs and lodges, private, fraternal and religious;
110 22. Department stores;
111 23. Drug stores;
112 24. Dwelling units, above ground floor;
113 25. Electrical and household appliance stores, sales and repair;
114 26. Employment agencies;
115 27. Express and mailing offices;
116 28. Food stores, grocery stores, meat markets, bakeries, delicatessens;
117 29. Furniture stores;
118 30. Furriers, sales, storage and repair;
119 31. Garden supply and seed stores;
120 32. Gift and souvenir stores and novelty shops;
121 33. Hardware stores;

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- 122 34. Health centers;
123 35. Hearing aid and eyeglass shops;
124 36. Hobby shops;
125 37. Hotels;
126 38. Interior decorating stores;
127 39. Jewelry stores;
128 40. Laundromats;
129 41. Locksmiths;
130 42. Museums and art galleries;
131 43. Musical instrument stores, sales and repair;
132 44. Newspaper offices;
133 45. Office supply stores;
134 46. Parcel delivery and mail order services;
135 47. Parking lots and parking garages below or above ground floor;
136 48. Paint, glass and wallpaper stores;
137 49. Pawn shops;
138 50. Pet stores and animal grooming shops;
139 51. Photography supply, developing and processing stores;
140 52. Plumbing and Heating stores;
141 53. Post offices;
142 54. Printing and publishing establishments;
143 55. Professional offices;
144 56. Public recreation buildings and community centers;
145 57. Public Safety Services;
146 58. Radio and television broadcasting studios;
147 59. Record stores;
148 60. Rental services (except outdoor and heavy equipment);
149 61. Restaurants, cafes and tea rooms;
150 62. Schools: art, music, dance, business, trade and similar educational uses;

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- 151 63. Shoe stores, sales and repair;
152 64. Sporting goods stores;
153 65. Suntan parlors;
154 66. Tailor shops;
155 67. Taxicab stands and dispatching offices;
156 68. Theaters and movie houses;
157 69. Tobacco shops;
158 70. Toy stores;
159 71. Variety and discount stores.

160 B. Conditional Uses. In the Downtown Supporting Commercial District, conditional
161 uses are:

- 162 1. Plazas, parks and open spaces.
163 2. Principal buildings setback from required build-to lines to accommodate
164 permitted uses necessitating open space for outdoor seating, benches, landscaping,
165 fountains, artwork, and other pedestrian amenities.

166
167 18.29.030 Standards.

168 In the Downtown Supporting Commercial District, Standards are:

- 169 A. Lot Area. There shall be no minimum lot area except as may be required by the
170 State of Alaska Department of Environmental Conservation in areas where community
171 sewer and water is unavailable.
172 B. Downtown Core development standards. See FNSBC 18.50.210.
173 C. Required yards for all buildings. Front, side, and rear yards shall not be required.
174 D. Building Height. Unlimited.
175 E. Parking. No parking required.
176 F. Signs. FNSBC 18.50.070
177 G. Street intersection visibility. FNSBC 18.50.100 does not apply.

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

181

182 Chapter 18.30

183 Retail Hot Spot District

184 Sections:

185 18.30.010 Intent.

186 18.30.020 Use Regulations.

187 18.30.030 Standards

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189 18.30.010 Intent.

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

194

195 18.30.020 Use Regulations.

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

197 1. Antique shops;

198 2. Art galleries;

199 3. Beauty and hair salons;

200 4. Bicycle stores, sales, rental and repair;

201 5. Book, stationery and school supply stores;

202 6. Camera stores, sales and repair;

203 7. Candy and ice cream stores;

204 8. Catalog stores;

205 9. Clothing stores;

206 10. Department stores;

207 11. Drug stores;

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- 208 12. Electrical and household appliance stores, sales and repair;
209 13. Food stores, grocery stores, meat markets, bakeries, delicatessens;
210 14. Furniture stores;
211 15. Furriers, sales, storage and repair;
212 16. Gift and souvenir stores and novelty shops;
213 17. Hardware stores;
214 18. Hearing aid and eyeglass shops;
215 19. Hobby shops;
216 20. Interior decorating stores;
217 21. Jewelry stores;
218 22. Musical instrument stores, sales and repair;
219 23. Office supply stores;
220 24. Paint, glass and wallpaper stores;
221 25. Pawn shops;
222 26. Pet stores and animal grooming shops;
223 27. Photography supply, developing and processing stores;
224 28. Plumbing and Heating stores;
225 29. Record stores;
226 30. Restaurants, cafes and tea rooms;
227 31. Shoe stores, sales and repair;
228 32. Sporting goods stores;
229 33. Tailor shops;
230 34. Tobacco shops;
231 35. Toy stores;
232 36. Variety and discount stores.

233
234 B. Permitted Below or Above Ground Floor Uses in this zone are:

- 235 1. Any permitted use in the Downtown Supporting Commercial District;

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

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- 237 1. Plazas, parks and open spaces.
238 2. Principal buildings may be setback from required build-to lines to
239 accommodate permitted uses necessitating open space for outdoor seating, benches,
240 landscaping, 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 B. Downtown Core development standards. See FNSBC 18.50.210,
248 C. Required yards for all buildings. Front, side, and rear yards shall not be required.
249 D. Building Height. Unlimited.
250 E. Parking. No parking required. Service bays/loading bays are prohibited. Rolled
251 curbs may be allowed for emergency vehicle access.
252 F. Signs. See FNSBC 18.50.070.
253 G. Street intersection visibility. FNSBC 18.50.100 does not apply.

254
255 Section 5. Chapter 18.50, Supplementary Regulations, is hereby
256 amended by adding a Section 18.50.210, Downtown Core Development Standards:

257
258 18.50.210 Downtown Core Development Standards.

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

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

262 2. Principal building ground-floor facades shall be located on a build-to line
263 28 feet from the center line of the road when the adjoining road right-of-way width is
264 less than 56 feet.

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265 3. Façade windows and walls may be recessed to accommodate columns or
266 other architectural elements that are located on front lot lines and build-to lines.

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

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

272 B. Building Entrances.

273 1. Customer entrances must be located on the ground-floor facing a public
274 right-of-way and may be recessed to allow the entry door to open and close without
275 projecting into the public right-of-way.

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

278 C. Ground-floor Transparency Requirements.

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

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

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

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287 Section 6. Effective date. This ordinance shall be effective at 5:00 p.m.
288 on the first borough business day following its adoption.

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290 PASSED AND APPROVED THIS _____ DAY OF _____, 2011.

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Joseph Blanchard II
Presiding Officer

ATTEST:

APPROVED:

Mona Lisa Drexler, CMC
Municipal Borough Clerk

A. René Broker
Borough Attorney

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