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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  
22

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

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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

188

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.

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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.

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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

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A. René Broker  
Borough Attorney

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