

1 By: Luke Hopkins, Mayor
2 Referred to the Planning
3 Commission and the City of
4 Fairbanks 01/14/10
5 Introduced: 02/10/11
6 Advanced: 02/10/11
7 Defeated: 03/24/11
8

9 FAIRBANKS NORTH STAR BOROUGH

10 ORDINANCE NO. 2010-09

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 AND ADDING DEFINITIONS
15
16
17

18 WHEREAS, the Vision Fairbanks Downtown Plan was adopted August 21,
19 2008 as an element of the Fairbanks North Star Borough Comprehensive Plan; and,
20

21 WHEREAS, the Vision Fairbanks Downtown Plan is intended to guide the
22 future economic development of downtown Fairbanks by fostering private investment,
23 creating jobs, adding commerce, increasing the property tax base, and boosting vitality
24 downtown; and,
25

26 WHEREAS, the Vision Fairbanks Downtown Plan identifies strategies for
27 implementation including developing downtown development standards to be utilized to
28 create new proposed zoning districts; and,
29

30 WHEREAS, through public participation, the Fairbanks Downtown
31 Association in conjunction with the Fairbanks North Star Borough has created a new
32 downtown supporting commercial zoning district, a retail hot spot district, downtown
33 core development standards and new definitions proposed for addition to the Borough's
34 zoning code; and,
35

36 WHEREAS, the Downtown Supporting Commercial District and
37 supplementary regulations will be used to provide a downtown supporting commercial
38 framework and provides for retail and commercial uses that meet the day-to-day needs
39 of workers, residents and hotels that cater to business travelers and tourists; and,
40
41

CODE AMENDMENTS ARE SHOWN IN LEGISLATIVE FORMAT

Text to be *added* is underlined

Text to be *deleted* is [BRACKETED AND CAPITALIZED]

42 WHEREAS, the Retail Hot Spot District will be used to create a retail hot
43 spot and is necessary to create a competitive, whole and integrated retail environment.
44

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

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

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

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

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

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

64 “Facade, Building” means a side or sides of a building with a ground-floor customer
65 entrance.
66

67 “Health Center” means a building or institution where medical services are offered or a
68 group of doctors practice.
69

70 Section 3. Title 18 of the Fairbanks North Star Borough Code of
71 Ordinances is amended by adding the following Chapter:
72

73 Chapter 18.29
74 Downtown Supporting Commercial District

- 75 Sections:
76 18.29.010 Intent.
77 18.29.020 Use Regulations.
78 18.29.030 Standards
79

80 18.29.010 Intent.
81 This District is intended to provide for service uses (sale of services), retail uses (sale of
82 goods and restaurants) and/or office uses in downtown core areas to meet the day-to-
83 day needs of workers, residents and hotels that cater to business travelers and tourists.
84

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- 85 18.29.020 Use Regulations.
86 A. Permitted Uses. In the Downtown Supporting Commercial District, permitted
87 uses are:
88 1. Amusement establishments;
89 2. Animal hospitals and veterinary clinics;
90 3. Antique shops;
91 4. Art galleries;
92 5. Artist studio;
93 6. Athletic clubs;
94 7. Beauty and hair salons;
95 8. Bank and other financial institutions;
96 9. Banquet halls;
97 10. Bicycle stores, sales, rental and repair;
98 11. Bingo parlors and gambling halls;
99 12. Blueprinting and photocopying establishments;
100 13. Book, stationery and school supply stores;
101 14. Business, public and governmental offices;
102 15. Camera stores, sales and repair;
103 16. Candy and ice cream stores;
104 17. Catalog stores;
105 18. Catering establishments and other food vending services;
106 19. Church buildings;
107 20. Clothing stores;
108 21. Clubs and lodges, private, fraternal and religious;
109 22. Department stores;
110 23. Drug stores;
111 24. Dwelling units, above ground floor;
112 25. Electrical and household appliance stores, sales and repair;
113 26. Employment agencies;
114 27. Express and mailing offices;
115 28. Food stores, grocery stores, meat markets, bakeries, delicatessens;
116 29. Furniture stores;
117 30. Furriers, sales, storage and repair;
118 31. Garden supply and seed stores;
119 32. Gift and souvenir stores and novelty shops;
120 33. Hardware stores;
121 34. Health centers;
122 35. Hearing aid and eyeglass shops;
123 36. Hobby shops;
124 37. Hotels;
125 38. Interior decorating stores;
126 39. Jewelry stores;
127 40. Laundromats;

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- 128 41. Locksmiths;
129 42. Museums and art galleries;
130 43. Musical instrument stores, sales and repair;
131 44. Newspaper offices;
132 45. Office supply stores;
133 46. Parcel delivery and mail order services;
134 47. Parking garages below or above ground floor;
135 48. Paint, glass and wallpaper stores;
136 49. Pawn shops;
137 50. Pet stores and animal grooming shops;
138 51. Photography supply, developing and processing stores;
139 52. Plumbing and Heating stores;
140 53. Post offices;
141 54. Printing and publishing establishments;
142 55. Professional offices;
143 56. Public recreation buildings and community centers;
144 57. Public Safety Services;
145 58. Radio and television broadcasting studios;
146 59. Record stores;
147 60. Rental services (except outdoor and heavy equipment);
148 61. Restaurants, cafes and tea rooms;
149 62. Schools: art, music, dance, business, trade and similar educational uses;
150 63. Shoe stores, sales and repair;
151 64. Sporting goods stores;
152 65. Suntan parlors;
153 66. Tailor shops;
154 67. Taxicab stands and dispatching offices;
155 68. Theaters and movie houses;
156 69. Tobacco shops;
157 70. Toy stores;
158 71. Variety and discount stores.

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

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

165
166 18.29.030 Standards.

167 In the Downtown Supporting Commercial District, Standards are:

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

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- 171 B. Downtown Core development standards. See FNSBC 18.50.210.
- 172 C. Required yards for all buildings. Front, side, and rear yards shall not be required.
- 173 D. Building Height. Unlimited.
- 174 E. Parking. No parking required.
- 175 F. Signs. FNSBC 18.50.070
- 176 G. Street intersection visibility. FNSBC 18.50.100 does not apply.

177
 178 Section 4. Title 18 of the Fairbanks North Star Borough Code of
 179 Ordinances is amended by adding the following Chapter:

180
 181 Chapter 18.30
 182 Retail Hot Spot District

183 Sections:

- 184 18.30.010 Intent.
- 185 18.30.020 Use Regulations.
- 186 18.30.030 Standards

187
 188 18.30.010 Intent.
 189 This designation is intended to provide for the location of ground-floor retail uses in
 190 downtown core areas. This district encourages continuous, adjoining retail
 191 establishments that engage in the sale of merchandise and restaurants only in order to
 192 promote an active downtown.

193
 194 18.30.020 Use Regulations.

- 195 A. Permitted ground-floor retail uses in this zone are:
- 196 1. Antique shops;
- 197 2. Art galleries;
- 198 3. Beauty and hair salons;
- 199 4. Bicycle stores, sales, rental and repair;
- 200 5. Book, stationery and school supply stores;
- 201 6. Camera stores, sales and repair;
- 202 7. Candy and ice cream stores;
- 203 8. Catalog stores;
- 204 9. Clothing stores;
- 205 10. Department stores;
- 206 11. Drug stores;
- 207 12. Electrical and household appliance stores, sales and repair;
- 208 13. Food stores, grocery stores, meat markets, bakeries, delicatessens;
- 209 14. Furniture stores;
- 210 15. Furriers, sales, storage and repair;
- 211 16. Gift and souvenir stores and novelty shops;
- 212 17. Hardware stores;
- 213 18. Hearing aid and eyeglass shops;

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

232
233 B. Permitted Below or Above Ground Floor Uses in this zone are:

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

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

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

240
241 18.30.030 Standards.

242 In the Retail Hot Spot District, Standards are:

- 243 A. Lot Area. There shall be no minimum lot area except as may be required by the
- 244 State of Alaska Department of Environmental Conservation in areas where community
- 245 sewer and water is unavailable.
- 246 B. Downtown Core development standards. See FNSBC 18.50.210.
- 247 C. Required yards for all buildings. Front, side, and rear yards shall not be required.
- 248 D. Building Height. Unlimited.
- 249 E. Parking. No parking required. Parking lots, service bays/loading bays, vehicular
- 250 curb cuts and parking garage entrances are prohibited. Rolled curbs may be allowed
- 251 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:

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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.
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.
286 4. Frosted, tinted, reflective glass or other types of glass must be greater
287 than 65% visible light transmittance and less than 25% exterior reflectance.
288
289 Section 6. Effective date. This ordinance shall be effective at 5:00 p.m.
290 on the first borough business day following its adoption.
291
292

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

294

295

(DEFEATED)

296

297

Joseph Blanchard II

298

Presiding Officer

299 ATTEST:

300

301 (DEFEATED)

302

Mona Lisa Drexler, CMC

Municipal Borough Clerk

305

306 Ayes: Hutchison, Winters, Kassel, Musick

307 Noes: Want, Dukes, Howard, Blanchard

308 Excused: Beck

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