Fairbanks North Star Borough

LANDSCAPE MANUAL

(A comprehensive guide including supplements from the Title 18 Zoning Code)

Adopted
April 25, 1988

July 2016
Introduction

This Landscape Manual, published by the Fairbanks North Star Borough Landscape Review Board, is intended as a supplement to the FNSB Landscape Ordinance to provide information useful to those who are required to comply with the Landscape Ordinance. This Manual does not add additional requirements and in case of a conflict, the Landscape Ordinance takes precedence. A copy of the ordinance is attached for your reference (see Appendix).

The landscaping as detailed in this manual is required only for properties located within the Special Landscape Area (SLA) overlay zoning district. Contact the Fairbanks North Star Borough Department of Community Planning at (907) 459-1260 or planning@co.fairbanks.ak.us for more information.

This manual is based heavily upon the landscape manual produced by the City of Fairbanks Landscape Review and Beautification Commission.
REQUIREMENTS
# Landscape Design Standards
## Summary of Requirements

### Residential

<table>
<thead>
<tr>
<th>Type of Construction</th>
<th>Landscaping/Screening Requirements</th>
</tr>
</thead>
<tbody>
<tr>
<td>Single family, duplex or triplex:</td>
<td>▪ No requirements</td>
</tr>
<tr>
<td>4-Plex – 12-Plex:</td>
<td>▪ One (1) tree per dwelling unit</td>
</tr>
<tr>
<td>Greater than 12-Plex:</td>
<td>▪ Same as Commercial (see below)</td>
</tr>
</tbody>
</table>

### Storage/Warehouse/Industrial

<table>
<thead>
<tr>
<th>Type of Landscaping/Screening Required</th>
<th>Summary of Requirements</th>
</tr>
</thead>
</table>
| Street Parking Lot Screening Only     | ▪ Street Parking Lot Screening
                                            ▪ Trash Screening (see below) |

### Miscellaneous

<table>
<thead>
<tr>
<th>Type of Construction</th>
<th>Landscaping/Screening Requirements</th>
</tr>
</thead>
<tbody>
<tr>
<td>New development adjacent registered historical structure</td>
<td>▪ Buffer landscaping as approved by Landscape Review Board (see below)</td>
</tr>
<tr>
<td>Existing Building – Unchanged</td>
<td>▪ No requirements</td>
</tr>
<tr>
<td>Existing Building – Change in Use</td>
<td>▪ Comply with this ordinance (see below)</td>
</tr>
</tbody>
</table>

**NOTE:** Additional requirements could apply if there are easements and/or rights-of-way related to the property in question (for example, utility easements). More restrictive site triangles may be required due to speed and sight distances on given properties. Consult with the Alaska Department of Transportation and/or the FNSB Department of Community Planning.
# Landscape Design Standards

## Summary of Requirements

### All Other New Construction and Change of Use Construction

<table>
<thead>
<tr>
<th>Type of Landscaping and/or Screening Required</th>
<th>Summary of Plantings, Beds and/or Structures Required</th>
<th>Parameters/Conditions for Plantings/Structures</th>
</tr>
</thead>
<tbody>
<tr>
<td>Street Parking Lot Screening</td>
<td>Minimum Planting Requirements:</td>
<td>Required trees/shrubs may be planted anywhere along street frontage area provided that:</td>
</tr>
<tr>
<td></td>
<td>• One (1) deciduous or evergreen tree per each 25 lineal feet of street frontage or fraction thereof;</td>
<td>• Total number of required trees and shrubs are planted;</td>
</tr>
<tr>
<td></td>
<td>AND</td>
<td>• A minimum planting bed of 25sf with no dimension less than 5ft is provided for each tree;</td>
</tr>
<tr>
<td></td>
<td>• One (1) approved shrub planted for each required tree.</td>
<td>• Each bed consists of at least one tree;</td>
</tr>
<tr>
<td>Perimeter Parking Lot Screening</td>
<td>Minimum Planting Requirements:</td>
<td>• Distance between beds and open street areas do not exceed 90 lineal feet.</td>
</tr>
<tr>
<td></td>
<td>• One (1) deciduous or evergreen tree for each 35 lineal feet of interior parking lot frontage or fraction thereof;</td>
<td>• Does not interfere w/ easements or rights-of-way (see below);</td>
</tr>
<tr>
<td></td>
<td>AND</td>
<td>• All planting beds must be protected from vehicular damage by the provision of some form of vehicle stop such as a curb or wheel stop (see fig.10 on pg.15).</td>
</tr>
<tr>
<td></td>
<td>• One (1) approved shrub planted for each required tree.</td>
<td></td>
</tr>
</tbody>
</table>
## Landscape Design Standards

### Summary of Requirements

#### All Other New Construction and Change of Use Construction continued…

<table>
<thead>
<tr>
<th>Type of Landscaping and/or Screening Required</th>
<th>Summary of Plantings, Beds and/or Structures Required</th>
<th>Parameters/Conditions for Plantings/Structures</th>
</tr>
</thead>
<tbody>
<tr>
<td>Interior Parking Lot Screening for lots with greater than 75 parking spaces</td>
<td>▪ One (1) planting bed for first 75 parking spaces; &lt;br&gt;AND &lt;br&gt;▪ One (1) additional planting bed for each additional 25 spaces or fraction thereof.</td>
<td>▪ Each planting bed shall consist of a minimum of 2 trees and 1 shrub; &lt;br&gt;▪ Minimum planting area shall be not less than 80 sq ft w/no dimension less than 8 ft; &lt;br&gt;▪ Planting beds may be consolidated; however, a minimum of 2 separate planting beds shall be provided where multiple beds are required; &lt;br&gt;▪ All planting beds must be protected from vehicular damage by the provision of some form of vehicle stop such as a curb or wheel stop (see fig.10 on pg. 15).</td>
</tr>
<tr>
<td>Trash Screening</td>
<td>▪ Visual screens not less than seventy-five (75%) opaque</td>
<td>▪ Shall consist of living plant material, natural or man-made construction material or a combination thereof.</td>
</tr>
<tr>
<td>Buffer Landscaping (between different land use areas as determined by FNSB Title 18 zoning ordinance)</td>
<td>▪ A continuous planting bed an average of 10 feet in width and not less than 8 ft with provision for protection from vehicular damage such as a curb or wheel stop (see fig.10 on page15 for examples).</td>
<td>▪ Shall consist of evergreen trees at least five ft in height with a ratio of height to spread no less than five to three and deciduous trees a minimum of eight ft in height with no more than 50% being deciduous planted at average intervals no greater than ten feet on center; &lt;br&gt;<strong>OR</strong> &lt;br&gt;▪ Two rows of evergreen trees a minimum of 6 ft in height and an average of 8 ft in height, with a ratio of height to spread no less than five to three, planted at average intervals no greater than ten feet on center.</td>
</tr>
</tbody>
</table>

**NOTE:** Additional requirements may apply if there are easements and/or rights-of-way related to the property in question (for example, utility easements). More restrictive site triangles may be required due to speed and sight distances on given properties. Consult with the Alaska Department of Transportation and/or the FNSB Department of Community Planning.
TERMS
Landscape Design Standards
What do we mean when we say…?

1. **Street Parking Lot Screening** – refers to landscaping consisting of approved trees and shrubs that provide a natural and partial barrier or buffer between a street or public right of way and a parking lot.

2. **Perimeter Parking Lot Screening** – refers to landscaping consisting of approved trees and shrubs that provide a natural and partial barrier or buffer between an interior property line and a parking lot.

3. **Interior Parking Lot Screening** – refers to landscaping consisting of approved trees and shrubs that provide a natural and partial barrier or buffer to break up the large interior expanse of a parking lot. Under this definition, the term “interior parking lot” includes all on-site parking spaces including access roadways and parking aisles; the term “interior parking lot” does not include the first row of street perimeter parking or island extensions of street or perimeter landscaping.

4. **Trash and/or Garbage Areas** – are any exterior centralized areas that include dumpsters, garbage receptacles, bins and trash cans.

5. **Screen** – refers to the method of reducing the visual impact of vehicle use areas and garbage collection areas. Screens may consist of berms, approved plants, fences, walls or a combination thereof. Trash and garbage screens shall be 75% opaque.

6. **Parking Lot Surface Improvement** – applies to existing parking lots which are upgraded with a paved or chip asphalt surface.

7. **Buffer Landscape** – describes a continuous landscape area which separates and partially obstructs the view of two separate land uses or properties from one another (for example, a commercial property from a residential property). Buffer landscaping must provide year-round screening. Buffer landscaping may include berms and/or decorative fences in conjunction with required trees and shrubs.

8. **Deciduous** – describes a tree or shrub with foliage that is shed annually.

9. **Evergreen** – refers to a tree or shrub that retains its foliage throughout the year.

10. **Shrub** – refers to a trunk-less woody plant, smaller than a tree consisting of several stems growing from the base.

11. **Tree** – refers to a woody perennial plant that grows to a height of several feet and typically has a single erect main stem with side branches.

12. **Berm** – describes an earthen embankment or wall.
APPROVED
MATERIALS
Landscape Design Standards
Approved Plant Materials and Ground Cover

The following are plants that have proven hardy in the Fairbanks area. Other trees and shrubs may be used if approved by the Landscape Review Board:

**Trees, evergreen:**
White Spruce, Lodge Pole Pine, Scotch Pine.

**Trees, deciduous:**
Paper Birch, Showy Mountain Ash, European Mountain Ash, Canada Red Cherry – Choke Cherry, European Bird Cherry – May Day, Amur Choke Cherry, Crabapple, Aspen, Cottonwood/Balsam Poplar, Tamarack (Eastern Larch), Siberian Larch.

**Shrubs:**

**Ground Cover:**
Grass, Boulders, Mulch, Wood or Bark Chips, Planted Berm, Screed Gravel, Annual Flowers.

Remember:
The species and method of planting you choose will greatly impact the survival of your plantings. We encourage you to consult with an expert for the “best planting methods” available for each individual species you choose to plant.
PLANTING DETAILS
Figure 1 – Planting Details / Deciduous

Deciduous Tree Planting Detail
Figure 2 – Planting Details / Evergreen

Evergreen Tree Planting Detail

NEVER CUT LEADER
PRUNE ONLY TO REMOVE DEAD OR BROKEN BRANCHES
RUBBER HOSE
GUY WIRE (2–#12) TWISTED
STAKES OR GUYS SHALL BE FASTENED 1/2 TO 2/3 THE WAY UP TRUNK OF TREE
3 INCH SHREDDED BARK MULCH
SAUCER AROUND TREE FROM GRADE TO TRUNK OF TREE
REMOVE BURLAP FROM TOP 1/3 OF TREE BALL
PLANTING MIX
WATER AND TAMM TO REMOVE ALL AIR POCKETS
STAKES SHOULD BE 18 INCHES BELOW TREE PIT INTO UNDISTURBED SOIL
(3) STAKES PER TREE, TYP.
STAKES 4 FEET O.C., MIN.
MIN. RADIUS FOR PLANT PIT TO BE 3X DIA. OF ROOTBALL

OPTIONAL:
INSTALL TRUNK GAURD PER MANUFACTURER

LAWN OR
PLANT BED
Figure 3 – Planting Details / Perennial

Perrenial Planting Detail
Shrub Bed Planting Detail
LANDSCAPING EXAMPLES
Figure 5 – Landscape Requirement Example

LANDSCAPE REQUIREMENTS
BASIC REQUIREMENTS

INTERSECTION VISIBILITY - (SIGHT TRIANGLE) COMPLY W/ FNSB TITLE 18 18.50.100 STREET

REQUIREMENTS
1. SCREEN DUMPSTER / TRASH AREA.
2. DESIGN MUST IDENTIFY UTILITIES.
3. PARKING LOTS >100 REQUIRE INTERIOR PARKING.
4. BUFFER LANDSCAPING REQUIRED AT REGISTERED HISTORICAL BUILDINGS, BETWEEN DIFFERING USES AND AS MAY BE REQUIRED BY FNSB SPECIAL USE PERMIT.
Figure 6 – Example Landscape Solution 1 / Continuous

EXAMPLE LANDSCAPE SOLUTION I
CONTINUOUS METHOD

- Approved Deciduous or Coniferous Tree
- Approved Shrub

TOTAL 42 TREES AND 39 SHRUBS THIS METHOD
Figure 7 – Example Landscape Solution 2 / Discontinuous

EXAMPLE LANDSCAPE SOLUTION 2
DISCONTINUOUS METHOD

64' (park, lot frontage) ≥ 35' ≥ 3 trees/shrubs
195' (park, lot frontage) ≥ 35' ≥ 6 trees/shrubs

1.59' (park, lot frontage) ≥ 25' ≥ 1 tree/shrub

STREET

375' (park, lot frontage) ≥ 35' ≥ 15 trees/shrubs

STREET

APPROVED DECIDUOUS OR CONIFEROUS TREE
• APPROVED SHRUB

TOTAL 42 TREES AND 39 SHRUBS THIS METHOD
Figure 8 – Planter for Slopes Greater than 3:1 / Section

Figure 9 – Planter for Slopes Greater than 3:1 / Plan
Plan

Planter for Slopes Greater than 3:1
Figure 10 – Planting Bed Protection Options

CONCRETE WHEEL STOP

TIMBER WHEEL STOP

BOULDER WHEEL STOP

Planting Bed Protection
APPENDIX

FNSBC Title 18 Zoning Ordinance Excerpts Concerning the Landscape Review Board

FNSBC Landscape Ordinance 2007-04 and Title 4 Concerning the Landscape Review Board
Chapter 18.92

OVERLAY DESIGNATIONS

Sections:

18.92.010 Purpose. An overlay designation is applied to a certain geographic area, already designated with one or more of the zoning districts as provided herein, to effectuate additional and unique regulations on land use development that are necessary for the public health, safety and welfare but are difficult or impossible to implement because of the standardized regulations of the underlying conventional zoning district or districts. The restrictions imposed by an overlay designation are in addition to, and not in lieu of, the restrictions placed by the underlying zoning district on the property subject to the overlay designation. (Ord. 88-010 § 2, 1988; Ord. 2016-30 § 4, 2016)

18.92.020 Procedures. A request for or an amendment to an overlay designation shall be initiated in accordance with the procedures applicable to requests for rezones. (Ord. 94-088 § 5, 1995; Ord. 92-006 § 3, 1992; Ord. 88-010 § 2, 1988; Ord. 2016-30 § 4, 2016)

18.92.030 DC – Downtown core designation.

A. Purpose. This designation is intended to be used as a recognition of past building practices within a specific area of the Fairbanks central business district where such practices have now made it physically impossible to provide for off-street parking as is required by this title.

B. Regulations and Standards. Any new construction or any change in the use of, or addition to, an existing building or structure in the downtown core designation shall not be required to provide for off-street parking as otherwise set forth by this title. (Ord. 88-010 § 2, 1988; Ord. 2016-30 § 4, 2016)
18.92.040 HS – Historically significant designation.
   A. Purpose. This designation is intended to be applied to those areas presently identified on federal, state or local registers of historic areas, places and monuments.
   B. Regulations and Standards. This designation shall be applied only to areas that have been designated as historically significant in accordance with applicable federal, state or local law. (Ord. 88-010 § 2, 1988; Ord. 2016-30 § 4, 2016)

18.92.050 MHS – Mobile home subdivision designation.
   A. Purpose. This designation is intended to provide an alternative to conventional housing by permitting mobile home development on privately owned lots. Also, this designation is intended to be applied to a large area where a multilot mobile home subdivision can be established and is not intended to be applied on an individual lot-by-lot basis. (Ord. 88-010 § 2, 1988; Ord. 2016-30 § 4, 2016)

18.92.060 CF – Correctional facilities designation.
   A. Purpose. This designation is intended to provide for the location of correctional facilities.
   B. Regulations and Standards. Neither a center or correctional facility shall be located within 1,000 feet of either a habitable dwelling or a school, excluding private trade, clerical skills, or other adult training centers. (Ord. 92-006 § 4, 1992; Ord. 2016-30 § 4, 2016)

18.92.070 GWP – Groundwater damage protection.
   A. Purpose. This designation is intended to prohibit construction of basements and structures below the natural elevation of the ground surface in order to minimize damage caused by elevated groundwater.
   B. Regulations and Standards. Any new construction or any additions to existing basements and structures below natural elevation of the ground surface is prohibited, except as permitted in this subsection. The placement of foundations, footings or crawlspace below the natural elevation of the ground surface is permitted, except that crawlspace shall not be used for mechanical and electrical equipment or storage purposes of any kind below the surface of the natural elevation of the exterior ground surface. (Ord. 2005-21 § 2, 2005; Ord. 94-088 § 2, 1995; Ord. 2016-30 § 4, 2016)

18.92.080 ANSA – Airport noise sensitive area.
   A. Purpose. This designation is intended to provide information and notice to property owners, future property owners, developers, public officials and others that the designated properties may be affected by aircraft noise. This designation is intended to encourage airport compatible land uses in the area surrounding the Fairbanks International Airport.
   B. Regulations and Standards. There are no regulations included or intended to be included with this overlay designation. Designated properties are defined within an area where estimated 24-hour average aircraft noise levels may reach or exceed 60 Ldn (day/night decibels). (Ord. 98-054 § 2, 1999; Ord. 2016-30 § 4, 2016)
18.92.090 WS – Waterways setback designation.
   A. Purpose. This designation is intended to protect the banks of rivers, sloughs and waterways in the developed areas of the borough and to restrict structural development in the Chena River floodway and flood hazard areas. The zone has been further designed to prohibit most structural development within the zone unless the structures are directly related to recreational waterfront purposes. This zone does not convey public use of private property.
   B. Regulations and Standards. Permitted uses in this zone are: dock, deck or boat launch. Conditional uses are: boat houses, roads, bridges, trails, bike paths, bank stabilization and utilities. There shall be no minimum lot area except as may be required by the State of Alaska Department of Environmental Conservation in areas where community sewer and water are unavailable. Setback from ordinary high water mark (except for permitted structures) shall not be less than 25 feet. (Ord. 2000-08 § 2, 2000; Ord. 2016-30 § 4, 2016)

18.92.100 WP – Waterways protection designation.
   A. Purpose. This designation is intended to promote riparian habitat, prevent erosion, minimize natural hazards and promote waterway ambiance and aesthetics. Natural vegetation is to be preserved to the greatest extent possible. Preservation of wildlife and the restoration of disturbed areas to a more natural state is also intended. This zone does not convey public use of private property.
   B. Regulations and Standards. Permitted use in this zone is preservation of natural vegetation. Conditional uses are clearing of natural vegetation, physical structures necessary to access property via the waterway such as boat docks, stairways, walkways, etc., roads or bridges, trails and bike paths, utilities, and riverbank stabilization. There shall be no minimum lot area except as may be required by the State of Alaska Department of Environmental Conservation in areas where community sewer and water is unavailable. (Ord. 2003-16 § 2, 2003; Ord. 2000-09 § 2, 2000; Ord. 2016-30 § 4, 2016)

18.92.110 SLA – Special landscape area.
   A. Purpose. This designation is intended to protect and enhance the borough’s economic and aesthetic resources thereby promoting the public health, safety and general welfare of the citizens and contributing to the quality of life by encouraging a high level of design and responsible development in the Fairbanks North Star Borough. The designation accomplishes this purpose by requiring buffering of residential areas from commercial uses, and setting minimum standards for street parking lot screening, perimeter parking lot screening, interior parking lot screening and trash and garbage area screening.
   B. Regulations and Standards.
      1. Scope and Applicability. The boundaries of this overlay zone shall be as described in a zoning map approved by the assembly. Property included in this overlay zone shall be subject to the regulations and standards imposed in this chapter. The overlay zone designation requirements shall apply to the construction of a new parking lot, expansion of an existing parking lot or a surface improvement to an existing parking lot.
2. Exemptions.
   a. Individual residential lots with fewer than four dwelling units located on the lot.
   b. Property of which the principal use is the sale of vehicles is not required to comply with the prescriptive method but must use one of the other methods.
   c. Property located within the city of Fairbanks, as long as their landscaping ordinance is in effect.

3. Landscape Plan. Where a landscape plan is required by this designation, the plan shall include:
   a. The common name of each plant used;
   b. The number, height and diameter of each plant;
   c. The locations where different plant types will be used;
   d. The locations, size and type of vegetation to be preserved in their natural state;
   e. Location of any retaining walls and fences;
   f. Location of existing or proposed utilities and easements of record;
   g. Location of all property lines including all streets which border the lot;
   h. Location of any existing or proposed structures or parking areas;
   i. North arrow and scale;
   j. Site drainage and drainage patterns, unless shown on civil drawings.

4. Approved Plant Materials. The landscape review board shall adopt and publish a landscape manual, which shall include a list of approved plant and ground cover materials and general landscaping information. The manual may be revised as needed and made available at the planning department and on the borough website.

C. Landscape Design Standards. The following areas of a lot shall be developed and maintained in accordance with the landscape standards set forth hereinafter using only approved plant and ground cover materials:
   1. Street parking lot screening;
   2. Perimeter parking lot screening;
   3. Interior parking lot screening;
   4. Trash and garbage areas; and
   5. Buffer landscape (when required).

D. General Design Standards.
   1. Plant material shall be true to name, variety and size and shall conform to all applicable provisions of American Standards for Nursery Stock, latest edition.
   2. All plant material shall be healthy, of a suitable type for the site conditions being used in and hardy to the projects area.
   3. All single stem deciduous trees shall be a minimum of one inch diameter measured six inches from the ground level. For multi-stemmed trees each stem shall be one inch caliper.
   4. Evergreen trees shall be a minimum of five feet in height unless specified elsewhere in this section.
   5. Natural vegetation which is sufficient to meet the intent of the standards set out in this section may be retained in place of all or part of any required landscaping. Existing trees shall be credited toward the landscape requirements on a 1:1 basis.
   6. Shrubs shall be a minimum of 18 inches at planting.
7. The planting of grass and annual flowers alone does not constitute landscaping in the context of this section.

8. Multiple residential dwelling units (apartments and condominiums) with fewer than 12 units shall provide landscaping consisting of one approved tree for each dwelling unit. If exterior off-street parking is provided, the trees shall be located and maintained to provide parking lot screening. If parking is provided within the building the required trees may be placed anywhere on site. Trash and garbage screening is required.

9. Storage, warehouse and industrial uses which occupy the major floor area of a building need only comply with the street parking lot screening requirements. Trash and garbage screening is required.

10. Sight triangle areas at street intersections shall be maintained as required by this title and as specified in the landscape manual.

11. All required landscape planting beds shall be protected from vehicular damage in accordance with the guidelines as set forth in the landscape manual.

12. New development which is constructed adjacent to a structure listed on the National Register or listed as a local historic site shall provide buffer landscape in addition to parking lot screening regardless of the location of parking spaces.

13. Each street or interior lot screening requirement shall be separately evaluated.

14. Trees and shrubs shall not be planted under or over primary power lines, gas lines, communication cables or within water and sewer utility easements unless pre-approved in writing by the utility owner. Trees and shrubs shall not be planted in a public road right-of-way unless an encroachment permit or letter of nonobjection has been issued by the controlling agency.

15. Trash and garbage areas including dumpsters shall be provided with approved screening on at least three sides. Screening shall be provided such that the trash and garbage areas cannot be viewed from adjacent streets.

16. Buffer landscaping shall be provided between a residential zoning district (rural estate through multiple-family residential/professional office) and any adjacent nonresidential zoning districts. Buffer landscaping may also be required pursuant to conditions set forth by a conditional use permit. When required, buffer landscaping shall be provided between lot lines and buildings in addition to parking lot screening requirements. Required buffer landscaping shall be approved by the landscape review board. It is not the intent of this section to require buffer landscaping between permitted uses within the same zoning district.

17. The maximum allowable slope for required planting beds shall not exceed 3:1. A steeper slope may be approved provided an approved retaining system is constructed. The retaining system must provide a slope no greater than 3:1 for the entire required width of the tree planting area (reference landscape manual).

E. Technical Design Standards. One of the following three design methods shall be used in order to comply with the landscaping requirements and standards imposed in this section:

1. Prescriptive Design Method. Street parking lot screening, perimeter parking lot screening, interior parking lot screening and trash area screening shall be provided with landscaping as follows:
a. Street parking lot screening may either be continuous, discontinuous or a combination of both. Street parking lot screening shall be provided contiguous with each common street frontage which abuts a lot. Screening shall be provided based on the planting of one deciduous tree or evergreen tree per each 25 lineal feet of street frontage or fraction thereof. In addition, one approved shrub shall be planted for each required tree. Trees and shrubs may be planted anywhere along the street frontage provided: (i) the total number of required trees and shrubs are planted; (ii) each required tree is provided with a minimum planting bed of 25 square feet with no dimension less than five feet; (iii) a planting bed consists of at least one tree; and (iv) the distance between planting beds and open street areas may not exceed 90 lineal feet.

b. Perimeter parking lot screening may be continuous or discontinuous as required by this section. Perimeter parking lot screening shall be provided on the basis of planting one deciduous tree or evergreen tree for each 35 lineal feet of interior lot frontage or fraction thereof. In addition, one approved shrub shall be planted for each required tree. Trees and shrubs may be planted anywhere along the interior lot line frontage provided: (i) the total number of required trees and shrubs are planted; (ii) each required tree is provided with a minimum planting bed of 25 square feet with no dimension less than five feet, (iii) a planting bed consists of at least one tree; and (iv) the distance between planting beds and open interior lot areas may not exceed 120 lineal feet.

c. Interior Parking Lot Screening. In addition to the street and perimeter parking lot screening requirements, as specified above, interior parking lot screening is required and shall apply to all parking lots with more than 75 parking spaces. The intent for interior parking lot landscaping is to break up the large interior expanse of the parking lot. Interior parking lot landscaping shall be provided with one planting bed area for every 25 parking spaces. The minimum planting area shall be not less than 80 square feet with no dimension less than eight feet. A minimum planting bed shall consist of two trees and one shrub. Planting beds may be consolidated, however a minimum of two separate planting beds shall be provided. Interior parking lot landscaping may also be provided based on two percent of the total area of the parking lot. Planting beds, tree and shrub requirements and planting bed geometry shall be as specified above.

d. Buffer Landscape. When required shall provide year-round screening and shall consist of the following: A continuous planting bed shall be provided. The planting bed width shall be an average of 10 feet with a minimum width of not less than eight feet. Two rows of trees shall be provided and shall be planted at average intervals no greater than 10 feet on center. The trees shall have a minimum diameter at planting of one and one-half inches in diameter and shall be a minimum of eight feet in height. No more than 50 percent of the trees shall be deciduous. An approved manmade decorative fence may substitute for one row of trees and the planting bed may be reduced to a minimum width of eight feet.

2. Professional Design Method. A landscape plan, prepared and sealed by a licensed landscape architect registered in the state of Alaska or a professional with similar expertise in landscaping as determined by the landscape review board, which is equivalent to the prescriptive design method shall be considered as meeting the intent of the landscape ordinance. All landscape plans which utilize the professional design method shall be reviewed and approved by the landscape review board.
3. Alternative Compliance Method. Project conditions associated with individual sites may justify approval of alternative methods of compliance with the landscape design requirements. Conditions may arise where normal compliance is impractical or impossible, such as facilities that sell vehicles, or where maximum achievement of the borough’s objectives and goals can only be obtained through alternative compliance. Such landscape plans shall be reviewed and approved by the landscape review board on a case-by-case basis.

F. Plan Submittal and Inspection Requirements.

1. A preliminary landscape plan shall be submitted to the planning department in conjunction with the zoning permit application. A performance bond or suitable guaranty shall be posted until such time as the landscaping is completed and approved. The amount of the bond or guaranty shall be as determined by the landscape review board or according to a schedule adopted annually by the board based on amount of linear feet subject to landscaping requirements.

2. A final and complete landscape plan shall be submitted to the planning department for final approval upon completion of construction. The landscape review board shall perform an inspection of the property following submission of the final and complete landscape plan and notify the planning department whether the property complies with all required landscape standards.

G. Maintenance. It shall be the duty of the owner of the property to maintain all required landscaping. If required landscaping dies, becomes damaged or destroyed, relandscaping of those areas or landscaping elements shall be replanted in an approved manner. (Ord. 2007-04 § 2, 2007; Ord. 2016-30 § 4, 2016)

18.92.120 CT – Communications towers designation.

A. This designation is intended to regulate the establishment and placement of communications towers within the densest areas of the borough.

B. Regulations and Standards.

1. Scope and Applicability. The boundaries of this overlay zone shall be as described in a zoning map approved by the assembly. Construction of a communications tower or placement of a telecommunications antenna on an existing structure other than a tower or antenna previously permitted under this section shall be subject to the regulations and standards imposed herein.

2. Exemptions. The regulations and standards in this section do not apply to properties in the RA-40, RA-20, RA-10, LI or HI zoning districts.

3. Regulations and Standards. Communications towers on properties with the CT designation shall be considered conditional uses and comply with the requirements set forth in FNSBC 18.96.160, regardless of the underlying zoning district. (Ord. 2009-05 § 12, 2009; Ord. 2016-30 § 4, 2016)

18.92.130 MN – Military Noise.

A. Purpose. This designation is intended to provide information and notice to property owners, future property owners, developers, public officials and others that the designated properties may be affected by military aircraft and arms noise. This designation is intended to encourage land uses compatible with the military mission in
the area within the composite noise contours surrounding Fort Wainwright and the 65 dB noise contours surrounding Eielson Air Force Base.

B. Regulations and Standards. There are no regulations included or intended to be included with this overlay designation.

C. Overlay Map. Parcels located wholly or partially within the composite noise contours surrounding Fort Wainwright or within the 65 dB noise contours surrounding Eielson Air Force Base shall be included in this overlay. (Ord. 2015-49 § 2, 2015; Ord. 2016-30 § 4, 2016)
Chapter 18.96

SUPPLEMENTARY REGULATIONS

Sections:
18.96.010 Purpose.
18.96.020 Buildings per lot.
18.96.030 Accessory structures.
18.96.040 Exception to required yards.
18.96.050 Exceptions to building height requirements.
18.96.060 Off-street parking and loading requirements.
18.96.070 Signs.
18.96.080 Home occupations.
18.96.090 Fences.
18.96.100 Street intersection visibility.
18.96.110 Standards for travel trailer parks and campgrounds.
18.96.120 Storage of hazardous substances.
18.96.130 Standards for junkyards.
18.96.140 Lighting.
18.96.150 Standards for public utility and service uses.
18.96.160 Standards for communications towers.
18.96.170 Standards for residential cluster development.
18.96.180 Standards for ministorage and other self-storage establishments.
18.96.190 Standards for dwellings in residential districts.
18.96.200 Restriction on structural changes in residential districts.
18.96.210 Standards for large scale development.
18.96.220 Standards for sexually oriented businesses.
18.96.230 Standards for outdoor shooting ranges.
18.96.240 Standards for commercial marijuana establishments.

18.96.010 Purpose.
The purpose of this chapter is to establish general building and performance standards. (Ord. 88-010 § 2, 1988; Ord. 2016-30 § 4, 2016)

18.96.020 Buildings per lot.
A. In the rural and agricultural through the TF, two-family residential districts, both inclusive, not more than one principal building may be located on one lot. In all other districts, more than one principal building may be located on one lot provided the requirements of this title are met and where, in the MF, multiple-family residential district and the MFO, multiple-family residential/professional office district, the exterior walls of the principal buildings are separated by a distance of not less than 10 feet.
B. Within all districts, when two or more contiguous lots are under common ownership, each of which may or may not lack adequate area and dimension to qualify for a use allowed under the requirements of the zoning district in which said lots are located, said lots may be used as one lot.
C. In the TF, two-family residential district, when two contiguous lots are simultaneously developed with a building having a common wall coinciding with interior
or rear lot lines, the common wall is exempt from setback requirements. Total number of dwelling units per building shall be limited to two.

D. In the MF, multiple-family residential, through the MFO, multiple-family residential professional office districts, when two or more contiguous lots are simultaneously developed with a building having one or more common walls coinciding with interior or rear lot lines, the common wall is exempt from setback requirements. Total number of dwelling units shall conform to the dwelling unit density requirement of the underlying zone.

E. In the TF, two-family residential, through the MFO, multiple-family residential professional office districts, when a lot or lots with an existing common wall building is to be replatted, the common walls are not subject to the setback requirements of the zone.

(Ord. 93-037 § 3, 1993; Ord. 88-010 § 2, 1988; Ord. 2016-30 § 4, 2016)

18.96.030 Accessory structures.

A. In all districts, an accessory building shall meet the yard requirements of the zoning district in which it is located, except as provided in this section.

B. An accessory structure shall not directly discharge water or snow from the roof, eave, gutter, or downspout onto another’s property.

C. In the single-family residential (SF-20, SF-10, SF-5), two-family residential (TF), multiple-family residential (MF) and multiple-family residential/professional office (MFO) districts, an accessory building shall:

1. Be located on the same zoning lot as the principal building or structure it serves is located.

2. Meet the yard requirements as set forth in this title, except that one accessory building of not greater than 120 square feet may be located in the required side or rear yard.

3. Be located at least 10 feet from the principal building, if the accessory building is constructed within the required side or rear yard. (Ord. 2008-35 § 2, 2008; Ord. 2005-82 § 2, 2006; Ord. 2000-58 § 2, 2000; Ord. 97-003 § 2, 1997; Ord. 88-010 § 2, 1988; Ord. 2016-30 § 4, 2016)

18.96.040 Exception to required yards and lot area.

A. The following deviations are considered de minimis and expressly allowed with no variance required: A deviation of not greater than 10% of the required setback or a minimum setback depth of 5 feet, whichever is greater to required yards, if the deviation existed on or before April 29, 2016; A deviation of 2% to a required lot area if the required lot area is 40,000 square feet or less; A deviation of 3% to a required lot area if the required lot area is more than 40,000 square feet. The platting board or administrative hearing officer may, but is not required to, approve a plat with one or more lots falling within the allowable deviations. All lots shall otherwise meet the yard requirements of the district in which they are located, subject to the following exceptions in the SF-5, SF-10, SF-20, TF, MF and MFO zones:

1. Corner lots with two frontages and through lots shall have one front yard, which shall be provided on the same side as the driveway and/or garage are located. If there is no driveway and/or garage, the front yard shall be provided on the side consistent with the prevailing yard pattern for the street. The second frontage shall have a yard with a minimum depth of 10 feet.
2. In the case of corner lots with more than two frontages:
   a. One front yard shall be provided on the same side as the driveway and/or garage are located. If there is no driveway and/or garage, the front yard shall be provided on the side consistent with the prevailing yard pattern for the street.
   b. No other frontage on such a lot shall have a yard with a depth of less than 10 feet.
3. The minimum front yard setback for a side with a garage access and/or driveway used as access to the property shall not be reduced under any exception in this section.
4. The street intersection visibility requirements set forth in FNSBC 18.96.100 must be maintained, notwithstanding any exception in this section.

B. All required yards shall remain open and unobstructed, except as follows:
   1. Eaves, ornamental features and other ordinary projections normally associated with a residential building or structure may project not more than two feet into the required yard.
   2. Open stairways and balconies, decks, arctic entries, chimneys and other structures greater than two and one-half feet in height may project a distance of not more than 20 percent into the required yard.
   3. Decks, paved terraces, patios, driveways and other similar structures, not greater than two and one-half feet in height, may be located in the required yards.
   4. In all zoning districts, and except as provided otherwise, required off-street parking may be located in the required yards. (Ord. 2008-70 § 3, 2009; Ord. 88-010 § 2, 1988; Ord. 2016-12 § 4, 2016; Ord. 2016-30 § 4, 2016)

C. The following are exempt from the yard requirements of this title, provided that the sight distance requirements set forth in 18.96.100 are met:
   1. Fences meeting the provisions in 18.96.090;
   2. Retaining walls;
   3. Signs meeting the provisions in 18.96.070;
   4. Transit amenities;
   5. Street furniture;
   6. Transportation-related infrastructure, including but not limited to streetlamps, traffic lights, traffic signs, traffic barriers, bollards;
   7. Public bicycle racks and shelters.

18.96.050 Exceptions to building height requirements.
In the RA-40 rural and agricultural through LC, light commercial districts, both inclusive, a building and structure shall not exceed the height requirements of the zoning district in which it is located, except as follows:
   A. Monuments, chimneys, silos, grain towers, barns, maintenance shops, storage sheds and other similar structures may exceed the height requirement of the zoning district in which they are located. (Ord. 2009-05 § 13, 2009; Ord. 88-010 § 2, 1988; Ord. 2016-30 § 4, 2016)

18.96.060 Off-street parking and loading requirements.
In all districts, except the GU-1, general use district, off-street parking and loading areas shall be provided in the amount and location as set forth herein.
   A. General Provisions.
1. The off-street parking and loading facilities required by this section shall be established.

2. Required off-street parking spaces and loading facilities for multi-residential, commercial and industrial land uses shall provide vehicle parking.

3. Any area once designated for required off-street parking and loading shall not thereafter be used for any other purpose unless and until equal facilities are provided elsewhere in conformance with this title.

B. Rules for Computing the Number of Off-Street Parking Spaces. The number of required off-street parking spaces to be provided for each use shall be determined as follows:

1. Where the computation of required parking space results in a fractional number, the determination of required parking spaces shall be made by rounding the fractional number to the nearest whole number.

2. Except as otherwise indicated, the number of parking spaces shall be determined by the net floor area, which for the purpose of this section shall mean that floor area of the building accessible to or devoted to use by the customer or patron of a business establishment. Net floor area shall not include those areas used for storage, cooking, stairwells, etc.

C. Minimum Standards for Off-Street Parking Spaces. For every use, there shall be provided the following minimum number of off-street parking spaces:

1. Bed and breakfast residence: one space per guestroom over four rooms;

2. Bowling alley: one space per three seats;

3. Furniture store: one space per 500 square feet of sales area;

4. Hospital, sanitarium: one space per three beds;

5. Hotel (guestrooms only, add other uses extra), roominghouse: three spaces per four guestrooms;

6. Office: one space per 200 square feet;

7. Residential: one space per dwelling unit, and one additional parking space per bedroom over four bedrooms;

8. Store (except furniture): one space per 200 square feet of sales area;

9. Theater or auditorium (including school auditoriums), church, funeral parlor, assembly hall: one space per four seats;

10. Restaurant: one space per three seats;

11. Trailer park, hotel: one space per unit;

12. All commercial and industrial uses not otherwise designated: three spaces per four employees.

No off-street parking is required in the general use zone or in the downtown core area bounded by First Avenue to Fifth Avenue, Noble Street to Barnette Street, and First Avenue to Third Avenue, Barnette Street to Wickersham Street.

D. Minimum Standards for Off-Street Loading Facilities. For every use requiring the loading and unloading of merchandise, off-street facilities for loading and unloading within or adjacent to the building shall be provided in a manner as to not obstruct the traffic movement on adjacent streets and alleys. No off-street parking space shall be used as an off-street loading facility.

E. Location of Off-Street Parking Spaces. All required off-street parking spaces shall be located within the property lines of the same zoning lot, or, where permitted, on a lot
within 300 feet of the zoning lot that accommodates the building, structure or use being served.

F. Shared Off-Street Parking Spaces. Up to 50 percent of the off-street parking spaces required for a particular use may be utilized by other uses seeking additional off-street parking spaces; provided, that the uses involved are not normally open, used or operated during the same hours as the primary use for which such off-street parking spaces are required, and that a written agreement is drawn assuring their retention for such purposes as set forth herein.

G. Handicapped Parking Requirements. There shall be provided one handicapped equipped and designated off-street parking space for every 50 required off-street parking spaces or 10 such spaces, whichever is less. Said space or spaces shall be at least eight feet in width with an access aisle at least five feet in width adjacent to the driver’s or passenger’s side of the car space. Said space or spaces shall be within 200 feet of an entrance to the building, structure or use being served and, where there is more than one entrance, evenly distributed throughout the parking lot also within the distance requirement. The accessible route of travel shall have ramps where curbs are present, shall not cross traffic lanes, and shall not pass behind car spaces. Each handicapped car space shall be identified with an unobscured sign.

H. Design. Except for single-family and two-family residences, all off-street parking spaces and loading facilities shall be designed with the following standards:

1. No wall, post, guardrail or other obstruction that would restrict car door opening shall be permitted within five feet of the centerline of a parking space. Access to each parking space shall be designed so that a driver can enter and leave a space without backing up more than 25 feet.

2. Turning and maneuvering space shall be located entirely on the lot of the use being served. A portion of an alley may be credited as turning and maneuvering space.

3. Each parking space shall have a minimum dimension of nine feet in depth and 18 feet in length with circulation drives of adequate width to make each stall accessible and usable without the need of moving other vehicles.

4. Each loading and unloading area shall have a minimum width of 10 feet, a minimum length of 40 feet, and a minimum height clearance of 14 feet.

5. All off-street parking and loading facilities including circulation drives and access routes shall be surfaced with at least two inches of compacted gravel and graded and drained. (Ord. 2002-04 § 4, 2002; Ord. 89-099 § 13, 1990; Ord. 88-010 § 2, 1988; Ord. 2016-30 § 4, 2016)

18.96.070 Signs.

This chapter is intended to promote the use of signs and to protect pedestrians and motorists from damage or injury caused by distractions, obstructions or hazards created by signs.

A. General Regulations.

1. Except as provided hereinafter, all signs shall be located on the zoning lot on which the facilities, activities or enterprises being advertised are located.

2. No sign shall be erected or displayed at any location that obstructs the vision of pedestrians or motorists. A sign shall not obstruct, impair, obscure, interfere with the view of, or be similar to any authorized traffic control sign, or signal, or device.
3. No sign shall be placed or displayed on any private property without the consent of that property’s owner.

4. No sign shall be erected, constructed, displayed or maintained so as to obstruct any fire escape, required exit, window or door opening used as a means of egress.

5. Illuminated signs shall be designed and constructed so as to concentrate the illumination upon the surface area of the sign and prevent glare upon the street or adjacent property.

6. Except for temporary signs, signs shall be permanently affixed to the ground or otherwise affixed in a permanent manner to a supporting structure.

B. Permitted Signs by Zone.

1. In the RA-40, rural and agricultural district, through the MFO, multifamily residential/professional office district, permitted signs are as follows:
   a. One identification sign per dwelling;
   b. Office buildings and other nonresidential uses, where permitted in residential zones, may have one sign;
   c. One real estate sign per lot;
   d. One home occupation sign advertising a business being conducted in a dwelling;
   e. “No trespassing,” “no dumping,” or “private property” signs;
   f. Signs established by or by order of any governmental agency, and flags and insignias displayed by a government agency;
   g. Directional signs;
   h. Other temporary signs as set forth herein.

2. In the OR, outdoor recreation district, and in the LC, light commercial district through the ML, mineral lands district, both inclusive, permitted signs are as follows:
   a. Those signs permitted in the RA-40, rural and agricultural district, through the MFO, multiple-family residential/professional office district, both inclusive;
   b. One sign per street lot line plus temporary, directional, menu or price signs as permitted. Signs flat against the building and not extending beyond the building shall be excluded from both the area calculations and the one sign per street lot line limitation;
   c. Other temporary signs as set forth herein.

3. Signs in the GU-1 general use district are exempt from the regulations of this section.

C. Temporary Signs. Temporary signs are permitted as follows:

1. Subdivision Signs. For each real estate subdivision that has been approved in accordance with FNSBC Title 17, one sign advertising the sale of property in such subdivision is permitted. Said sign shall be located within the subdivision being advertised for sale and shall be removed when 90 percent of the land in the subdivision has been sold, but not to exceed a two-year period, whichever occurs first.

2. Portable Signs. Except in residential zoning districts, one portable sign per lot advertising a business created during the winter months when weather conditions prohibit the placement of a permanent sign shall be allowed, only until weather conditions permit the placement of a permanent sign.

3. Political Signs.
a. Political signs shall be allowed in all zones.
b. In all residential zoning districts all signs are unlimited.
c. In all other zoning districts, the number of political signs is unlimited.
d. When a political candidate is advertised, the candidate is responsible for ensuring the conditions of this section are met. (Ord. 88-070 § 5, 1988; Ord. 88-032 § 2, 1988; Ord. 88-010 § 2, 1988; Ord. 2016-30 § 4, 2016)

18.96.080 Home occupations.
A home occupation, as defined herein, may be conducted in a residential dwelling unit or mobile home or in a building that is accessory to that residential dwelling unit or mobile home. The extent of operation of a home occupation shall not exceed the following:

A. The home occupation shall be clearly an incidental, secondary and accessory use of the premises and shall be conducted wholly indoors for that portion of the activity occurring at the premises.

B. Not more than 50 percent of the floor area of the residential dwelling unit shall be devoted to the home occupation. Home occupations may be located in one or more accessory buildings; however, cumulative area devoted to the home occupation shall not exceed 50 percent of the floor area of the principal residential dwelling unit. For purposes of calculation, garages are not considered as floor area of the residential dwelling unit.

C. Except for one sign, there shall be no external visual or audible evidence of any kind of the home occupation, including but not limited to:
   1. Heavy commercial vehicle delivery;
   2. Outside storage;
   3. Noise, dust, odors, noxious fumes or other nuisances.

D. Signs. Signs shall be a maximum of eight square feet and self-illumination or purposeful illumination is prohibited.

E. Parking. Home occupations that generate four or more customer vehicles simultaneously shall be considered a commercial or professional office use and shall be located in an appropriate zoning district as set forth herein.

F. Any home occupation that exceeds these standards shall be considered a commercial or professional office use and shall be located in an appropriate zoning district as set forth herein. (Ord. 2015-41 § 18, 2015; Ord. 2002-70 § 2, 2003; Ord. 88-010 § 2, 1988; Ord. 2016-30 § 4, 2016)

18.96.090 Fences.
In the SF-20, single-family residential district, through the MFO, multiple-family residential/professional office district, both inclusive, fences and nonbuilding walls shall not exceed eight feet in height, except as set forth elsewhere in this title and in other ordinances. (Ord. 88-010 § 2, 1988; Ord. 2016-30 § 4, 2016)

18.96.100 Street intersection visibility.
A. On corner lots in all zoning districts, no fence, wall, sign, hedge, berm or other structure that impedes or obstructs the visibility of traffic on the adjacent streets shall be placed between the height of two and one-half feet and eight feet above the finished grade of the adjacent street within a triangular area formed by the intersection point of
the property lines that are adjacent to the street and two points each 30 feet in distance from the intersection point measured along both property lines.

B. On corner lots in all zoning districts, no vehicle shall be parked nor shall any parking space be provided or designed in the triangular area described hereinabove. (Ord. 88-010 § 2, 1988; Ord. 2016-30 § 4, 2016)

18.96.110 Standards for travel trailer parks and campgrounds.

A. Generally. Travel trailer parks and campgrounds, where they are a conditional use, shall meet the design and performance standards set forth herein. After conditional use approval has been granted, a travel trailer park or campground site plan shall be submitted to the department of community planning prior to the issuance of zoning permit allowing construction to commence.

B. Site Plan. The applicant shall provide a site plan drawn at a scale in which all of the requirements of this section are clearly shown. In addition, the following shall be shown:

1. Name of the travel trailer park or campground, ownership, name of developer, scale, north arrow, date and location map showing the location of the park or campground;
2. All four corners of the development shall be tied by course and distance to establish subdivision and U.S. Government Survey Monuments, and the site plan must include a description of corner markers indicating how the bearings were determined;
3. Tract boundary lines, rights-of-way lines of streets, easements and other rights-of-way, with accurate dimensions and bearings, on each line and the radius, arc, length, semi-tangent and central angle for each curve;
4. Identification of each trailer lot or space by letter or number;
5. Location and description of monuments, lot corners and other survey points in place.

C. Area, Setback, and Height Requirements. The following requirements shall apply to all buildings, structures and travel trailers within a park or campground.

1. Required Yards. Yards of not less than 20 feet shall be required from all property lines which form the perimeter of the travel trailer park or campground.
2. Building Height. Building height shall not be greater than 35 feet.
3. Space Area. Each travel trailer or campground space shall not be less than 1,250 square feet in area.
4. Space Width. Each travel trailer or campground space shall not be less than 25 feet in width.
5. Distance Between Structures. The minimum side-to-side and end-to-end spacing between travel trailers and/or permitted buildings or structures and any subsequent additions thereto shall not be less than 15 feet.

D. Design of Entrance and Exits. Entrances and exits shall be designed for safe and convenient movement of traffic into and out of the park, and to minimize hazards with traffic on adjacent streets. A minimum of two access points shall be provided and all traffic into and out of the park shall be through such entrances and exits. No entrance or exit shall require a turn at an acute angle for vehicles moving in the direction intended, and radii of curbs and pavement at intersections shall be a minimum of 25 feet to facilitate easy turning movements for vehicles with trailers attached. No object or
material impediment to visibility shall be created, placed or maintained which obscures the view of an approaching driver in the right lane of the street. No entrance or exit shall be located nearer than 30 feet from any street intersection, or 10 feet from the radius point, whichever is more.

E. Internal Streets. Streets shall be provided in the park or campground where necessary to furnish principal traffic-ways for safe and convenient access to all spaces and to facilitate for common use by park or campground occupants. Unless in a public park or campground, streets shall be privately owned, constructed and maintained.

F. Street Alignment and Gradient. Street alignment and gradient shall be designed and constructed to ensure the safe movement of traffic, and to satisfactorily control surface water and groundwater.

G. Street Surfacing. Streets shall consist of a sound all-weather driving surface consisting of gravel, cinders, asphalt or concrete.

H. Street Widths. Notwithstanding any provision in FNSBC Title 17, streets shall meet the following minimum size standards:
   1. Ten feet per moving lane;
   2. Seven feet per on-street parallel parking lane, where on-site parking for each space is not provided;
   3. Two feet additional for pedestrian use per side, if sidewalks are not provided;
   4. Street widths, at access points where traffic enters or leaves the park, shall be of sufficient size to permit free movement from or to the stream of traffic on the adjacent public streets, and no parking shall be permitted which in any way interferes with such free movement.

I. Management offices and common facilities shall be located as nearly as possible, and be equally distant from all travel trailer or campground spaces. Buildings and structures shall be located, to the greatest extent possible, so that they will not be visible from any point outside the travel trailer park or campground.

J. Disposal of Waste, Sewage, Garbage and Trash. Disposal of wastewater, sewage, garbage or trash shall be in facilities that have been approved by the State of Alaska Department of Environmental Conservation.

K. Exterior Lighting. Where provided, exterior lighting shall be so located and shielded as to prevent direct illumination of sleeping area either within the park area or on any contiguous property of a more restrictive zoning district. (Ord. 88-010 § 2, 1988; Ord. 2016-30 § 4, 2016)

18.96.120 Storage of hazardous substances.

Limitations and conditions on the storage of hazardous substances shall be determined at the time of conditional use approval. Hazardous substances are defined as follows:

A. “Hazardous waste” means those substances as defined by Section 40 CFR 261.3 of the Code of Federal Regulations as amended, and any regulations adopted by the state of Alaska.

B. Explosive Substances. Standards are those set forth in the most recent edition of the Uniform Building Code, excepting:
   1. Explosives used by the armed forces of the United States or the Alaska National Guard;
   2. The storage of small arms ammunition;
3. The storage of black sporting powder or smokeless powder and small arms primers for hand-loading of small arms ammunition for personal use;

4. The storage and use, for agricultural purposes, of fertilizers including but not limited to ammonium, sodium, potassium and calcium nitrate.

C. Corrosive and Poisonous Substances. Standards are those set forth in the most recent edition of the Uniform Fire Code.

D. Toxic Substances. These substances as defined in 49 CFR 100 through 189. (Ord. 88-010 § 2, 1988; Ord. 2016-30 § 4, 2016)

18.96.130 Standards for junkyards.

Junkyards shall meet the following standards:

A. The proposed site shall not be established within 500 feet of any school building, hospital, public building or residentially zoned land adjacent thereto.

B. Junkyards shall be completely enclosed and obscured from the public view at all times by a sight-obscuring screen. Screening shall be fully constructed, inspected and approved by the department of community planning prior to the yard being utilized as a junkyard. Junkyards without sight-obscuring screens shall be removed at the cost of the owner of the land upon which they are located.

C. Provisions shall be made to prevent any contamination of the domestic water supply or excessive surface run-off from the property into adjoining lands or streams. A drainage plan specifying the method of disposing of surface run-off from the site shall be required and is subject to the approval of the Alaska Department of Environmental Conservation or city of Fairbanks or North Pole Public Works Departments or borough department of public works.

D. Any evidence of rat infestation or evidence of the existence of rats within a junkyard shall require immediate mitigation methods as approved by the director of community planning, and may include, but are not limited to: traps, poison, buffering, clearing, separation from buildings, schedule for clean up of animal waste, or disposal of perishable garbage (as defined in FNSBC 21.20.010). (Ord. 2005-29 § 6, 2005; Ord. 88-070 § 6, 1988; Ord. 88-010 § 2, 1988; Ord. 2016-30 § 4, 2016)

18.96.140 Lighting.

Lighting, glare and general illumination shall not be directed towards residentially zoned properties other than that property from which the lighting, glare and general illumination originates. (Ord. 88-010 § 2, 1988; Ord. 2016-30 § 4, 2016)

18.96.150 Standards for public utility and service uses.

Public utility and service uses, including communications towers, as defined in a zoning district, may be located on lots of less than the minimum lot size specified for that zoning district. In instances where a smaller lot is used, then said lot shall not thereafter be used for other than a public utility or service use. (Ord. 2009-05 § 15, 2009; Ord. 88-010 § 2, 1988; Ord. 2016-30 § 4, 2016)

18.96.160 Standards for communications towers.

A. In all zones in which major communications towers are a permitted or conditional use, the following standards apply:
1. One freestanding tower with a maximum height of 150 feet is permitted per lot. Additional freestanding towers and those with a height exceeding 150 feet are conditional uses and are subject to the requirements of subsection (C) of this section. Collocation shall grant an additional 15 feet above the base height for each qualifying antenna to a maximum of 30 feet of additional height. “Height” of a communications tower is the distance from the base of the tower to the top of the structure.

2. Communications towers and antennas must comply with all federal, state and local laws.

B. In all zones in which minor communications towers are a permitted or conditional use, the following standards apply:

1. One freestanding tower with a maximum height of 60 feet is permitted per lot; or

2. One non-freestanding tower and/or antenna, affixed atop a building or structure, is permitted per lot.

3. Additional towers or roof-mounted antennas are a conditional use subject to the requirements of subsection (C) of this section.

4. Communications towers and antennas must comply with all federal, state and local laws.

C. The following standards shall apply to major or minor communications towers when a conditional use permit is required pursuant to this section or other sections of this title:

1. Application Requirements. In addition to providing the information specified in this title for conditional uses, an application for a conditional use permit for the construction of a communications tower or placement of a telecommunications antenna on an existing structure other than a tower or antenna previously permitted must include the following information:

   a. One copy of the specifications for the proposed structures and antennas, including description of the design characteristics and material;

   b. A site plan drawn to scale showing property boundaries, tower location, tower height, guy wires and anchors, existing structures, photographs or elevation drawings depicting typical design of proposed structures, parking, fences, landscaping, and existing land uses on adjacent property;

   c. A current map showing locations of all of the applicant’s antennas, facilities, existing towers, and proposed towers within the borough;

   d. Names of the owners of the tower, antennas and equipment to be located on the site;

   e. Evidence that a valid FCC license for the proposed activity has been issued, if required;

   f. A copy of the FAA determination as to whether the tower poses an aviation hazard, including the safety lighting and marking required by FAA, if any, and whether preferences or requests for deviations from such marking and lighting systems were submitted;

   g. A written agreement, approved by the borough attorney, to remove the tower and/or antenna within 180 days after the tower or antenna is substantially unused for a period of 12 consecutive months;
h. A visual impact analysis that quantifies the amount of visual impact on properties located within 500 feet of any proposed tower; for major communications towers, additional analysis must be conducted at 2,500 feet, and two miles from the proposed communications tower site. Such analysis should include, to the extent practicable, the visual impact from at least two of the four compass directions, and show the relationship of the tower and its facilities against the massing of surrounding structures, trees, and other intervening visual masses. This analysis will include recommendations to mitigate adverse visual impacts on other properties;
   i. An alternative site analysis including the availability of suitable existing towers and other alternative structures or locations for the proposed tower considered by the applicant;
   j. Additional information required by the planning department for determination that all applicable laws are met.

2. Approval Criteria. The planning commission shall approve, approve with conditions or deny a permit under this section after considering all of the following criteria:
   a. Location and Visual Impact. The proposed communications tower, antenna or accessory structure will be placed in a reasonably available location which will minimize the visual impact on the surrounding area and allow the facility to function in accordance with minimum standards imposed by the applicable communications regulations and applicant’s technical design requirements. Conditions may be imposed, including camouflage, screening, vegetative buffers and/or site requirements, to ensure this criteria is met.
   b. Inability to Locate on an Existing Structure. A permit should not be issued unless a proposed antenna and equipment cannot be accommodated and function as required by applicable regulations and applicant’s technical requirements without unreasonable modifications on any existing structure or tower under control of the applicant.
   c. Necessity for Location in a Residential Neighborhood. A permit should not be issued in a residential neighborhood unless the area cannot be adequately served by a facility placed in a nonresidential area for valid technical reasons. Conditions may be imposed to lessen the impact of a communications tower on a residential neighborhood, including limitations on times for maintenance work to be performed, number of vehicles present, yard maintenance, and similar requirements.
   d. Design for Future Use. A new tower must be designed to accommodate additional antennas equal in number to the applicant’s present and reasonably foreseeable future requirements.
   e. Collocation. A permit shall be conditioned to require the applicant to make the tower available for use by as many other licensed carriers as can be technically collocated thereon when the use will not result in substantial injury to the owner, or in substantial detriment to the service to the customers of the owners. All licensed carriers shall cooperate with each other in collocating additional facilities upon such towers. All licensed carriers shall exercise good faith in collocating with other licensed carriers and in the sharing of towers, including the sharing of technical information to evaluate the feasibility of collocation.
f. Illumination. A communications tower may not be illuminated unless otherwise required by state or federal law or regulations or unless evidence has been presented that lighting is necessary to ensure the safety of the public. To prevent direct light reflection on other property, tower structure lighting shall be shielded to the extent permitted by the Federal Aviation Administration.

g. Distance from Existing Tower. A permit for a proposed tower within 1,000 feet of an existing tower shall not be issued unless the applicant certifies that the existing tower does not meet the applicant’s structural specifications and the applicant’s technical design requirements, or that a collocation agreement could not be obtained.

h. Yard Requirements. Yards shall be a distance equal to 50 percent or greater of the height of the tower from a lot line. The planning commission may modify this requirement if the tower and equipment will be adequately screened to mitigate its visual impact and no safety hazards are presented.

i. Height. The permitted height of a proposed tower shall be the minimum required to meet the applicant’s technical needs and will consider the impact on the surrounding uses.

j. Zoning District Standards. Nothing in this section alters the requirements for visibility, fencing, screening, landscaping, parking, access, lot size, exterior illumination, sign, storage, or other general zoning district regulations, except yard and height requirements, of any specific zone. Yard and height requirements in this section shall apply.

k. Design Drawings and Specifications. A permit shall be conditioned to require the applicant to submit design drawings and specifications stamped by a registered professional in the state of Alaska certifying compliance with the building code of the authority having jurisdiction.


18.96.170 Standards for residential cluster development.

A. Purpose. The purpose of this section is to allow better, safer, and more flexible residential development by maximizing the best use of the features of a particular piece of property. The section is intended to provide an alternative to the conventional zoning approach and to encourage more creative utilization of land by permitting flexibility and innovation in design, placement, and use of open spaces, traffic and pedestrian circulation facilities, and off-street parking areas. Cluster development can allow variation in lot sizes without an increase in the overall density of population or development. A residential cluster development is intended to be a compatible and stable environment in harmony with and at substantially the same population density of the surrounding area. This designation is also intended to improve and protect the public health, safety, and welfare by:

1. Ensuring that future residential development outside the urban areas occurs in accordance with the goals and policies of the comprehensive plan and all other planning policies of the borough;

2. Allowing for greater flexibility and creativity in the design and location of rural or low density residential subdivisions;
3. Facilitating construction and maintenance of streets, utilities and public services in a more economical and efficient manner;
4. Protecting environmentally sensitive land by clustering residential units rather than spreading development over the entire site;
5. Avoiding the inappropriate development of lands and provide for adequate drainage and reduction of flood hazards;
6. Encouraging the permanent preservation of open space, agricultural lands, and other natural resources;
7. Promoting safe, efficient, and economic use of the land, transportation, public facilities, and services;
8. Facilitating the provision of adequate public services such as transportation, water, sewage, storm drainage, and electricity;
9. Promoting recreational opportunities through the protection and development of recreational trails, parks, and open space;
10. Reducing energy consumption and demand;
11. Minimizing the adverse environmental effects of development;
12. Improving the design, quality, and character of new developments;
13. Providing the opportunity to combine and coordinate architectural styles, building forms, and relationships within the cluster development.

B. Submission Requirements. An application for a residential cluster development shall include information as specified in this title for conditional uses, and:

1. A completed cluster development application which includes:
   a. A completed application form provided by the department of community planning;
   b. Total acreage of the property and the proposed acreage of open space;
   c. A typical deed granting an undivided interest to each property owner in the common and open space areas;
   d. Number of residential units requested;
   e. Written recommendations from affected agencies and municipality or satisfactory evidence that they have received the preliminary plat or sketch 10 working days prior to the application being submitted to the platting officer. Reviewing agencies shall have a maximum of 10 working days for their review and response;
   f. For those areas disturbing over one acre of land, the applicant shall contact the U.S. Environmental Protection Agency or managing authority for a determination as to whether a storm water permit is required. The applicant shall provide documentation of any storm water control required by the U.S. EPA;
   g. The appropriate fee;
   h. Satisfactory proof that the applicant represents the owner’s interest in the property to be subdivided;
   i. A report from a title company, showing the legal and equitable owners of the land to be subdivided and all grants, reservations, covenants, deed restrictions, and easements of record. Copies of all documents identified shall accompany the report;

2. A preliminary development plan depicting:
   a. All information required by FNSBC Title 17 to be on a preliminary plat;
   b. Use and location, size and height of all proposed building(s);
c. Location of proposed parking, landscaping, screening, signage, lighting and related matters;
   d. Area of proposed open space;
   e. Setback distances of existing and proposed buildings from the perimeter of the cluster development;

3. An owner association and maintenance agreement;

4. A water and wastewater plan for the cluster development approved by the Alaska Department of Environmental Conservation.

C. Development Performance Standards. A cluster development shall meet the following requirements and standards:

1. Conformance with the Comprehensive Plan. The residential cluster development shall be consistent with and conform to the goals, policies, and implementation ordinances of the borough’s comprehensive plan, comprehensive trails plan, comprehensive road plan, and any other borough plans.

2. Permitted Uses. Any use or combination of uses allowed in the underlying zoning districts established by this title shall be permitted. Conditional uses shall also be permitted through the conditional use process. Multiple-family structures are permitted in any zone in which a cluster development is allowed.

3. Land Area. A residential cluster development shall not be less than the minimum lot size permitted in the underlying zone.

4. Owner Association and Maintenance Agreement. A legal instrument that requires individual owners of land within the cluster development to be responsible for the maintenance of the open space, common areas, and facilities serving the development and to ensure that the purpose, intent, and specifications of the residential cluster development are met. Said instrument shall create an ownership association where:
   a. A plan providing for the permanent care and maintenance of open spaces, recreation areas, and commonly owned facilities and parking lots is established;
   b. The ownership association is established prior to any interest within the cluster development being sold;
   c. Membership in the association is mandatory for each property owner;
   d. Restrictions on open space are permanent;
   e. The ownership association is made responsible for liability insurance, and maintenance of open spaces, recreation areas, and commonly owned facilities and parking lots;
   f. The ownership association is given power to levy assessments or require fees or dues, which can become a lien on individual premises, for the purpose of paying operating and maintenance costs, liability insurance, and other expenses;
   g. The governing board of the ownership association consists of at least three members who are owners of property in the cluster development;

Said instrument and the articles of incorporation and bylaws of the association shall be reviewed by the borough attorney for compliance with this subsection.

5. Master Plan and Phasing Schedule. A cluster development may be constructed in two or more phases; provided, that a master plan and phasing schedule have been submitted to and approved by the platting authority. The master plan and
phasing schedule shall delineate the improvements proposed for each phase, the expected completion date of each phase, and shall demonstrate that each phase can function independently. Adequate access, buildable areas, utility provisions, lot size, open space, etc., must be available to the property designated for future phases. This will ensure that the property does not become undepvelopable should the cluster development plan be abandoned.

6. Density. In a cluster development, where a variety of housing types may be provided including single-family, two-family or multiple-family structures, the maximum number of dwelling units allowed shall be determined by the total number of dwelling units that can exist if the property is subdivided to its greatest potential under its current zoning designation. The maximum number of dwelling units may be reduced because of, but not limited to, the following:

a. Environmental factors such as topography, soils, slope, drainage patterns, wetlands, and permafrost;
b. The character and nature of surrounding residential areas;
c. Inconvenient or unsafe access to the development;
d. Traffic congestion for streets adjoining the development;
e. An excessive burden imposed on parks, recreational areas, schools, and other public services and utilities which serve or are proposed to serve the development.

7. Setbacks. Setbacks from the perimeter of the cluster development shall not be less than specified by the underlying zone. Spacing between buildings shall be a minimum of 20 feet.

8. Lot Size. Individual lot sizes and dimensions within the cluster development may be freely arranged.

9. Height. Heights of buildings and structures shall be limited by the underlying zoning district.

10. Common Open Space. In any residential cluster development, common open space, varying in amount and location, shall be provided to offset what would otherwise be a perceived substantial increase in density as a result of a proposed variety of housing types, an increase in building height in comparison to that of the surrounding neighborhood, or a substantial decrease in interior building setback distances. “Common open space” means the portion of the site set aside in perpetuity as open space, and may consist of land, wetland and water areas. The characteristics of the common open space shall include, but are not limited to, the following:

a. The total area of common open space shall be located within the boundaries of the cluster development designation and shall not be less than 50 percent of the total cluster development area.
b. Further subdivision of common open space or its use for other than recreation, conservation or agriculture, except for easements for underground utilities and septic systems, shall be prohibited. A restriction enforceable by owners of property in the development and by the borough shall be recorded to ensure that such space shall be kept in open or natural state and not be built for residential use or developed for accessory uses such as parking or roadways. Such restrictions shall further provide for maintenance for the common open space in a manner which will ensure its suitability for
its function, appearances, cleanliness, and proper maintenance of drainage, utilities, and the like.

c. Recreational facilities or structures and their accessory uses located in common areas shall be considered as usable open space as long as the total impervious surfaces such as paving and roofs constitute no more than 10 percent of the total open space.

d. Common open space shall be suitably improved for its intended use, but common open space containing natural features, existing trees, and groundcover worthy of preservation may be left unimproved.

e. The use and improvement of common open space shall be planned in relation to any public or semi-public open space which adjoins the perimeter of the cluster development.

f. Areas devoted to streets and roads, parking facilities, storage, or service areas, or any buildings or structures shall not be considered in calculating the required common open space area.

g. Each cluster development lot shall have an undivided interest in the common and open space areas. The sum of all ownership interests in the common and open space areas shall total 100 percent.

11. Access. The cluster development shall be accessible by dedicated public access as provided by FNSBC Title 17. Each lot within the cluster development shall have adequate and legally enforceable rights of access to a public or private street.

12. Parking. Required off-street parking areas shall be provided and shall adequately serve the entire cluster development. Each required parking space that is unheated shall be equipped with an electrical receptacle.

13. Drainage. Drainage shall be designed so that runoff shall not be increased, groundwater recharge is maximized, and neighboring properties will not be adversely affected.

D. Approval Process. A residential cluster development shall be approved through conditional use procedures as specified in this title. In addition, a preapplication conference shall be scheduled between the developer and community planning department staff to discuss the proposed project. Conditions of approval may be required to help ensure the public health, safety and welfare and compatibility with the surrounding area. Such conditions may include but are not limited to requiring firmer performance standards, a replat of the property, specifying number of dwelling units, obtaining floodplain, wetlands, driveway or other permits. Once approved, no changes in the cluster development may be made unless approved by the planning commission, except for the following:

1. A decrease in overall coverage of structures;
2. A decrease in the density or intensity of use;
3. A decrease in the problems of traffic circulation and public utilities;
4. An increase in open space or landscaping;
5. An increase in off-street parking and loading areas;
6. A change in the location of any building or structure by less than 10 feet which does not conflict with the minimum spacing requirements of subsection (C)(7) of this section.
E. Status of Approved Development Plan. Notwithstanding any other provision of this code, upon approval by the planning commission of the development plan, the plan shall be considered an approved preliminary plat as defined in FNSBC Title 17. The development plan shall thereafter be subject to the requirements of FNSBC Title 17 except as otherwise provided in this section.

F. Conflict of Laws. Whenever there is a conflict between this section and other provisions of the zoning code, the provisions of this section shall prevail. Subjects not covered in this section shall be governed by the respective provisions found elsewhere in the borough code.

G. Failure to Abide by the Terms of the Approved Cluster Development. Any violation of the terms of the approved cluster development conditional use may result in a revocation of the cluster development conditional use approval and shall be a violation of this title and be subject to enforcement and penalties as provided herein. (Ord. 2007-42 § 2, 2007; Ord. 94-046 § 6, 1994; Ord. 2016-30 § 4, 2016)

18.96.180 Standards for ministorage and other self-storage establishments.

The following standards shall apply to ministorage and other self-storage establishments when they are a conditional use:

A. Landscaping. Visual enhancement landscaping shall be planted along each lot line adjoining a right-of-way. Buffer landscaping shall be planted along each lot line adjoining a residential district.

B. Drainage. Drainage flow patterns shall be shown on the site plan.

C. Permitted Accessory Uses. The site may contain no more than one on-site dwelling unit.

D. Lighting. Exterior lighting shall be so arranged and shielded so as to prevent glare on adjacent properties or rights-of-way.

E. Fencing. Any site boundary abutting a residential zoning district or other property with existing residential development shall be fenced with a site-obscuring fence with a minimum height of six feet.

F. Outside Storage of Vehicles or Equipment. Any outside storage of recreation vehicles or motorized equipment shall be separated from buildings and may be subject to additional fencing requirements. (Ord. 98-045 § 3, 1998; Ord. 2016-30 § 4, 2016)

18.96.190 Standards for dwellings in residential districts.

In the single-family residential, two-family residential, multiple-family residential and multiple-family residential/professional office districts, sewage and toilet facilities shall be provided as set forth herein.

A. If a lot abuts a street, easement, or right-of-way in which there is located a community sewer system, any dwellings or dwelling units located on the lot shall have suitable toilet facilities installed within the dwelling and:

1. Be connected to the community sewer system; or
2. Have a septic system that complies with Alaska Department of Environmental Conservation regulations; or
3. Have a domestic wastewater disposal system that is approved by the Alaska Department of Environmental Conservation. Pit privies are not permitted.

B. This section will not be subject to FNSBC 18.108.010 through 18.108.030, except for FNSBC 18.108.030(B)(4). Properties not in compliance with this section will have 10
years from the time of enactment of the ordinance codified in this section to comply.  
(Ord. 2001-04 § 2, 2001; Ord. 2016-30 § 4, 2016)

18.96.200 Restriction on structural changes in residential districts.
   A. In the single-family residential districts, no alteration, addition, or other structural
      change to the interior or the exterior of any single-family dwelling shall be made if such
      alteration, addition or other structural change would alter the essential single-family
      character of the dwelling.
   B. In the two-family residential, rural residential, and rural estate districts, no
      alteration, addition, or other structural change to the interior or the exterior of any single-
      family or two-family dwelling shall be made if such alteration, addition or other structural
      change would alter the essential permitted residential character of the dwelling. (Ord.
      2002-04 § 5, 2002; Ord. 2016-30 § 4, 2016)

18.96.210 Standards for large scale development.
   The following standards shall apply to large scale development when a conditional
   use permit is required pursuant to other sections of this title:
   A. Purpose and Intent. The purpose and intent of this section is to ensure that large
      scale development is integrated into the surrounding area. Large scale development
      should protect and contribute to the health, safety and welfare of the community. This
      section is intended to require, prior to approval of any large scale development, a
      careful review of any substantial impacts on the citing, environment and community.
      These potential impacts include, but are not limited to, noise and traffic. Where these
      requirements conflict with other provisions of this title or city code, the more restrictive
      regulations shall apply.
   B. Applicability. The provisions in this section shall apply to any new or relocated
      large scale development and to any expansion of an existing use in which the
      expansion and the existing use together constitute a large scale development as
      defined herein.
   C. Application Requirements. In addition to including information as specified in this
      title for conditional uses, an application for large scale development shall address the
      standards set forth in this section and contain:
      1. Traffic Impact Analysis. A traffic impact analysis completed by a licensed
         traffic engineer shall be submitted that assesses the impacts to surrounding properties
         and contains recommendations for mitigating potential impacts to the traffic system.
         This requirement can be satisfied by submitting a completed report as required by
         another public agency having traffic authority over the affected area.
      2. Citizen Participation Meeting. A citizen participation meeting shall be
         conducted, and a report prepared, including the following information:
            a. Details of techniques the applicant used to involve the public, including:
               i. Date and location of a minimum of one meeting where invited
                  citizens discussed the developer's proposal; and
               ii. Content, dates mailed, and numbers of mailings, including letters,
                  meeting notices, newsletters and other publications; and
               iii. Location and date of meeting advertisements; i.e., notice posting
                  locations within Fairbanks and newspaper publishing dates; and
iv. Mailing list of residents, property owners, and interested parties receiving notices, newsletters, or other written materials, and proof of advertisements and other notices; and

v. The number of people that participated in the process.

b. A summary of concerns, issues and problems expressed during the process, including:
   i. The substance of the concerns, issues, and problems; and
   ii. How the applicant has addressed or intends to address concerns, issues and problems expressed during the process; and
   iii. Concerns, issues and problems the applicant is unwilling or unable to address and why.

3. Site Plan. A detailed site plan drawn to scale and prepared by a licensed architect or engineer registered in the state of Alaska showing the location of setbacks, easements, all existing and proposed buildings and structures, access points, buffering, vehicular and pedestrian circulation patterns, parking, loading and delivery areas, mechanical equipment, drainage, landscaping, and the specific location of the use or uses of the development, elevation plans of all proposed structures, artist renditions and any other information necessary to establish that the requirements will be met shall be submitted with the application. Site design shall utilize the natural features and topography of the individual site to the maximum extent possible.

D. Standards. The following standards are applicable to all large scale development:

1. Building and Aesthetics. The intent of these standards is to establish minimum requirements to protect public health, safety and welfare and to help create an attractive facade by reducing the mass of large buildings, create structures in scale with existing development, and create a pedestrian friendly environment, while recognizing that buildings for certain uses may not be able to meet these goals. In such instances, the planning commission may allow increased landscaping and improved siting to mitigate the perceived mass and visual impacts of the large building.

   a. Design Elements. Architectural variation and segmentation shall be provided for at least 60 percent of the walls within public view. This variation and segmentation shall provide features that contribute to visual interest at the pedestrian scale and reduce the massive scale effect by breaking up the exterior building walls. Architectural variation and segmentation may include, but is not limited to, color changes, texture changes, offsets, arcades, windows, awnings, material changes or other architectural features that meet the intent of this section.

   b. Landscape Elements. Regardless of the location of the large scale development, the landscaping must, at a minimum, comply with the standards of the special landscape area (SLA) overlay designation. If another agency’s landscaping ordinance applies to the property, the more stringent standard shall apply.

   c. Parapets. Architectural parapets shall be constructed to conceal flat roofs and rooftop equipment from public view and shall be architecturally treated to avoid a plain, monotonous reveal.

   d. Signs. The maximum height of freestanding pole or pylon signs, measured from the recorded grade, shall not exceed 25 feet.

   e. Lighting. All exterior lights shall be designed, located, installed and directed in such a manner and contained within the target area so that no direct light
source is visible at the property line at ground level or grade. All parking area lighting, building security lighting, and externally illuminated signs, displays, building and aesthetic lighting shall be full cut-off type fixtures. Landscape, general signage and building architectural features, including flag poles, may be illuminated upward near the primary property and building entrances, provided the lights are shielded to prevent light from being reflected upon any adjoining property, public street or vehicular circulation area. Internally lighted signs, seasonal ice carving lighting and special event lighting is permitted.

f. Outdoor Storage and Loading Dock Facilities. Areas used for storage, truck, trailer and Connex van parking, trash collection or compaction, loading and unloading of delivery trucks and similar uses shall be provided with a sight-obscuring screen. Materials, colors and design of approved screening walls, decorative fences and their covers shall be complementary to those of the primary structure. Outdoor seasonal sales and special promotions are exempt from this requirement.

g. Buffers. A sight-obscuring screen no less than 10 feet in width shall be required if a lot containing large scale development adjoins a residential zone.

2. Maintenance. The buildings, grounds and required landscaping on the site of a large scale development shall be maintained whether the building(s) are occupied or not. Such maintenance shall include, but not be limited to, the following: (a) parking lots shall be kept free of garbage, debris and abandoned vehicles, (b) buildings shall be secured from unauthorized entry, (c) broken windows and doors shall be replaced, and (d) vandalism including graffiti and exterior disfigurement shall be removed and/or replaced. In the event the property is not maintained, the agency having jurisdiction may cause the work to be completed and will pursue recovering documented maintenance costs, including by obtaining a lien against the property.

3. Parking Lot Design. Parking lots and parking structures may not visually dominate the site and should enhance the local aesthetic qualities and natural surroundings. The visual impacts of parking lots shall be mitigated through measures such as landscaping, screening, or situating parking areas away from the front of buildings adjacent to arterials.

a. Pedestrian and Bicycle Facilities. Access to the main entrances of a building shall be provided with raised pedestrian walkways or sidewalks which are continuous to the full length of the building. Pedestrian walkways or sidewalks shall also be provided along any facade abutting a public parking area. Continuous pedestrian walkways shall be provided from existing public pedestrian facilities or, if not, present from adjacent public rights-of-way to and between the customer entrances of all buildings on the site. Pedestrian walkways or sidewalks shall be a minimum of eight feet in width and shall comply with local accessibility requirements and federal law. Bicycle parking racks usable with U-locks and cable locks and that support bicycles in an upright position shall be provided near the main entrances to the building.

b. Central Pedestrian Walkway or Sidewalk. Parking lots which have 400 or more parking spaces shall be constructed with a central pedestrian walkway or sidewalk. The walkway or sidewalk shall be a minimum of eight feet in width and located perpendicular to the main entrance sidewalk. The walkway or sidewalk shall serve as a collector, providing parking lot subdivision and convenient pedestrian access from the
parking lot to the main entrance. All required central pedestrian walkways and sidewalks shall be provided with landscaping along both sides of such walkway.

c. Public Transit Facilities. The parking lot design shall include features friendly to public transit buses such as signed bus stops and bus pull-offs located near the store entrances. These features must be functionally integrated with the pedestrian facilities.


18.96.220 Standards for sexually oriented businesses.

A. Purpose and Intent. It is the purpose of this section to regulate the location of sexually oriented businesses, to promote the health, safety, morals and general welfare of the citizens of the Borough, and to establish reasonable and uniform standards to prevent the deleterious location and concentration of sexually oriented businesses within the borough. The provisions of this section have neither the purpose nor effect of imposing a limitation or restriction on the content of any communicative materials, including sexually oriented materials. It is neither the intent nor effect of this section to restrict or deny access by adults to sexually oriented material protected by the First Amendment, or to deny access by the distributors and exhibitors of sexually oriented entertainment to their intended market. It is also not the intent of this provision to condone or legitimize the distribution of obscene material.

B. Location.

1. Regardless of whether a sexually oriented business is a permitted or conditional use, a sexually oriented business may not be located:
   a. adjacent to a lot zoned GU-1 or GU-5 upon which is a principal building used as a dwelling; or
   b. within a 1,000-foot proximity, measured from the property line of the subject lot to the property line of the next nearest lot of any zoning district which allows residential uses as a principal use (Rural Estates, Rural Residential, Single-Family, Two-Family, Multiple-Family and Multiple-Family Residential/Professional Office Districts); or
   c. within 1,000 feet of a lot which contains any of the following preexisting, primary uses:
      i. A church building;
      ii. A public or private school and its grounds, from preschool to twelfth grade;
      iii. A public library;
      iv. A public park; or
      v. A licensed day care facility.

2. In all zones in which sexually oriented businesses are a permitted or conditional use, the applicant shall include an area map drawn to scale indicating all land uses on other properties within a 1,000-foot proximity of the lot upon which the applicant is seeking a zoning permit or conditional use permit.

C. Signs. Notwithstanding FNSBC 18.96.070(B)(2)(b) and (3), no sexually oriented business shall display more than one exterior identification sign. Identification signs
shall be a maximum of 40 square feet and contain only the business name, telephone number, street address, hours of operation, and general nature of the establishment.

D. Exterior Appearance. A sexually oriented business may not display their stock in trade or activities in such manner as to be subject to public view from outside the establishment, including but not limited to view from public sidewalks, streets, or hallways.

E. Conditional Use. If a sexually oriented business is permitted as a conditional use, the planning commission must approve or deny a conditional use permit within 120 days of submittal of a completed application based upon:

1. The standards set forth in this section; and
2. The requirements of FNSBC 18.104.050 relating to conditional uses.

F. Mailing of Notices for Conditional Use Hearing. Notwithstanding FNSBC 18.104.010(C)(2), the department of community planning shall mail notice of the public hearing on a conditional use permit to all owners, as shown by the records of the borough assessor, of property within an area measured 1,000 feet in all directions from the boundaries of the lot being considered for a conditional use as a sexually oriented business. At least 10 owners of lots or land outside of the area being considered shall be notified by mail, whereby this distance requirement shall be increased. (Ord. 2015-26 § 8, 2015; Ord. 2016-30 § 4, 2016)

18.96.230 Standards for outdoor shooting ranges.

A. Permitted outdoor shooting ranges shall meet the following standards:

1. A continuous backstop a minimum of 15 feet in height consisting of concrete, steel, earth, wood, or a combination thereof shall be constructed behind all targets. The backstop must be impenetrable to calibers used at the facility and extend from exterior side berm to exterior side berm.

2. Shooting lane(s) shall be located a minimum distance of 100 feet from any public right-of-way.

3. All shooting lane(s) shall be located a minimum distance of one quarter mile from any dwelling unit not in the same lot unless all the dwelling unit owners within the specified distance provide written consent.

4. Side berms running parallel to the shooting lane(s), a minimum of eight feet in height consisting of concrete, steel, earth, wood, or a combination thereof, shall be constructed along the outside shooting lane(s) extending at least 60 feet or the length of the shooting lane, whichever is less, from the backstop toward the firing line. Side berms must be impenetrable to calibers used at the facility.

B. The following shooting ranges are exempt from the standards in subsection A, provided that all shooting stations and targets are located a minimum distance of 100 feet from any public right-of-way and a minimum distance of one quarter-mile from any non-consenting dwelling unit not on the same lot:

1. Shotgun-only shooting ranges, such as skeet or trap shooting clubs, where only shotguns are used;

2. Shooting ranges where only muzzleloader firearms are used.

C. The above standards or appropriate alternate standards may be required upon conditional use application for other outdoor shooting ranges and shall consider relevant factors, including the location of and type of firearms that will be used at the proposed range. (Ord. 2015-67 § 1, 2016; Ord. 2016-30 § 4, 2016)
18.96.240 Standards for commercial marijuana establishments.

A. General Standards.

1. Applicability. Standards of this section shall apply to commercial marijuana establishments regardless of whether they are a permitted or conditional use.

2. A commercial marijuana establishment may only be allowed with the written consent of the owner of the property.

3. No marijuana establishment, except a marijuana testing facility, shall be located within the following buffer distances:
   a. Five hundred feet of primary and secondary school buildings (K-12) including vocational programs, playgrounds, adult and juvenile correctional facilities and housing facilities owned by a public housing authority with children as residents; and
   b. Two hundred feet of any post-secondary school buildings including but not limited to trade/technical/vocational schools, colleges and universities; and
   c. One hundred feet of youth centers, group homes serving persons ages 18 and under, public swimming pools, state licensed day care facilities, arcades, state licensed substance use treatment provider or facility providing substance abuse use treatment, church buildings and residential zones (RE, RR, SF, TF, MF, MFO).
   d. Buffer distances shall be measured from the lot line of the lot containing a use or zone listed in subsections (A)(3)(a) through (c) of this section to the commercial marijuana establishment.
   e. Buffer distance measurements shall not extend beyond the nearest ordinary high water (OHW) mark of a river or lake or beyond the nearest edge of a right-of-way (ROW) of a controlled access facility.

4. Outdoor Storage. No outdoor storage of marijuana, marijuana products or hazardous substances shall be allowed.

5. In all zones in which marijuana establishments, with the exception of a marijuana testing facility, are a permitted or conditional use, the applicant shall include an area map drawn to scale indicating all land uses on complete parcels within a 500-foot proximity of the lot upon which the applicant is seeking a zoning permit or conditional use permit.

6. Marijuana establishments other than marijuana cultivation facilities, indoor small and marijuana testing facilities located in GU-1 or GU-5 zoning and adjacent to a lot upon which a principal building used as a dwelling is located are a conditional use subject to the requirements of this title.

B. Cultivation Facility Standards.

1. Yard Setbacks. Outdoor marijuana cultivation facilities, including all land planted with marijuana, shall be located at least 50 feet from a lot line.

2. Height Limitations.
   a. The maximum height for a marijuana cultivation facility, indoor small shall be 35 feet.
   b. The maximum height for a marijuana cultivation facility, indoor large shall be 75 feet. (Ord. 2015-41 § 19, 2015; Ord. 2016-30 § 4, 2016)
By: Valerie Therrien
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Reconsider
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FAIRBANKS NORTH STAR BOROUGH

ORDINANCE NO. 2007-04

AN ORDINANCE ESTABLISHING A LANDSCAPE REVIEW BOARD, ADDING A NEW
SECTION TO CHAPTER 18.48 TO PROVIDE FOR A SPECIAL LANDSCAPE AREA
OVERLAY ZONE, AMENDING 18.54.060 ZONING PERMIT REQUIREMENTS TO
INCLUDE LANDSCAPING, AND AMENDING 1.04.050 TO ADD A VIOLATION OF THE
ZONING PERMIT AND LANDSCAPING REQUIREMENTS TO THE FINE SCHEDULE

WHEREAS, appropriate community planning assists and advances the goals of a
growing, thriving community; and

WHEREAS, community planning efforts that include landscaping requirements in
selected areas will help attract and expand economic development by protecting and
showcasing the unique scenic beauty of our community; and

WHEREAS, landscaping requirements can help both protect existing property
values and encourage future residential and business investment in our community; and

WHEREAS, landscape buffering can help minimize conflict in a growing
community between residential and commercial uses; and

WHEREAS, landscaping helps project a positive community image to our
residents and visitors.

CODE AMENDMENTS ARE SHOWN IN LEGISLATIVE FORMAT
Text to be added is underlined
Text to be deleted is [BRACKETED AND CAPITALIZED]
NOW, THEREFORE, BE IT ORDAINED by the Assembly of the Fairbanks North Star Borough:

Section 1. This ordinance is of a general and permanent nature and shall be codified.

Section 2. The Fairbanks North Star Borough Code of Ordinances is amended by adding the following new section to Chapter 18.48 Overlay Designations:

18.48.110 SLA--Special Landscape Area

A. Purpose. This designation is intended to protect and enhance the borough’s economic and aesthetic resources thereby promoting the public health, safety and general welfare of the citizens and contributing to the quality of life by encouraging a high level of design and responsible development in the Fairbanks North Star Borough. The designation accomplishes this purpose by requiring buffering of residential areas from commercial uses, and setting minimum standards for street parking lot screening, perimeter parking lot screening, interior parking lot screening and trash and garbage area screening.

B. Regulations and Standards.

1. Scope and applicability.

The boundaries of this overlay zone shall be as described in a zoning map approved by the assembly. Property included in this overlay zone shall be subject to the regulations and standards imposed in this chapter. The overlay zone designation requirements shall apply to the construction of a new parking lot, expansion of an existing parking lot or a surface improvement to an existing parking lot.

2. Exemptions.

(a) Individual residential lots with fewer than four dwelling units located on the lot.

(b) Property of which the principle use is the sale of vehicles is not required to comply with the prescriptive method but must use one of the other methods.

(c) Property located within the City of Fairbanks, as long as their landscaping ordinance is in effect.

3. Landscape plan. Where a landscape plan is required by this designation, the plan shall include:

(a) The common name of each plant used;

(b) The number, height and diameter of each plant;

(c) The locations where different plant types will be used;

(d) The locations, size and type of vegetation to be preserved in their natural state;

(e) Location of any retaining walls and fences;

(f) Location of existing or proposed utilities and easements of record;
(g) Location of all property lines including all streets which border the lot;
(h) Location of any existing or proposed structures or parking areas;
(i) North arrow and scale;
(j) Site drainage and drainage patterns; unless shown on civil drawings.

4. Approved plant materials. The Landscape Review Board shall adopt and publish a landscape manual, which shall include a list of approved plant and ground cover materials and general landscaping information. The manual may be revised as needed and made available at the planning department and on the borough web site.

C. Landscape design standards.

A. The following areas of a lot shall be developed and maintained in accordance with the landscape standards set forth hereinafter using only approved plant and ground cover materials:

1. Street parking lot screening;
2. Perimeter parking lot screening;
3. Interior parking lot screening;
4. Trash and garbage areas; and
5. Buffer landscape (when required).

D. General design standards.

1. Plant material shall be true to name, variety and size and shall conform to all applicable provisions of the American Standards for Nursery Stock, latest edition.
2. All plant material shall be healthy, of a suitable type for the site conditions being used in and hardy to the projects area.
3. All single stem deciduous trees shall be a minimum of one inch diameter measured six inches from the ground level. For multi-stemmed trees each stem shall be one inch caliper.
4. Evergreen trees shall be a minimum of five feet in height unless specified elsewhere in the ordinance.
5. Natural vegetation which is sufficient to meet the intent of the standards set out in this ordinance may be retained in place of all or part of any required landscaping. Existing trees shall be credited toward the landscape requirements on a 1:1 basis.
6. Shrubs shall be a minimum of 18 inches at planting.
7. The planting of grass and annual flowers alone does not constitute landscaping in the context of this ordinance.
8. Multiple residential dwelling units (apartments and condominiums) with fewer than 12 units shall provide landscaping consisting of one approved tree for each dwelling unit. If exterior off street parking is provided, the trees shall be located...
and maintained to provide parking lot screening. If parking is provided within the 
building the required trees may be placed any where on site. Trash and garbage 
screening is required.

9. Storage, warehouse and industrial uses which occupy the major 
floor area of a building need only comply with the street parking lot screening 
requirements. Trash and garbage screening is required.

10. Sight triangle areas at street intersections shall be maintained as 
required by this Title and as specified in the landscape manual.

11. All required landscape planting beds shall be protected from 
vehicular damage in accordance with the guidelines as set forth in the Landscape 
Manual.

12. New development which is constructed adjacent to a structure 
listed on the National Register or listed as a Local Historic Site shall provide buffer 
landscape in addition to parking lot screening regardless of the location of parking 
spaces.

13. Each street or interior lot screening requirement shall be separately 
evaluated.

14. Trees and shrubs shall not be planted under or over primary power 
lines, gas lines, communication cables or within water and sewer utility easements 
unless pre-approved in writing by the utility owner. Trees and shrubs shall not be 
planted in a public road right of way unless an encroachment permit or letter of non 
objection has been issued by the controlling agency.

15. Trash and garbage areas including dumpsters shall be provided 
with approved screening on at least three sides. Screening shall be provided such that 
the trash and garbage areas cannot be viewed from adjacent streets.

16. Buffer landscaping shall be provided between a residential zoning 
district (Rural Estate through Multiple-Family Residential/Professional Office) and any 
adjacent non-residential zoning districts. Buffer landscaping may also be required 
pursuant to conditions set forth by a conditional use permit. When required, buffer 
landscaping shall be provided between lot lines, and buildings in addition to parking lot 
screening requirements. Required buffer landscaping shall be approved by the 
Landscape Review Board. It is not the intent of this ordinance to require buffer 
landscaping between permitted uses within the same zoning district.

17. The maximum allowable slope for required planting beds shall not 
exceed 3:1. A steeper slope may be approved provided an approved retaining system 
is constructed. The retaining system must provide a slope no greater than 3:1 for the 
entire required width of the tree planting area. (Reference Landscape Manual)

E. Technical design standards. One of the following three design methods 
shall be used in order to comply with the landscaping requirements and standards 
imposed in this Chapter.
1. **Prescriptive design method.** Street parking lot screening, perimeter parking lot screening, interior parking lot screening and trash area screening shall be provided with landscaping as follows:

   a. Street parking lot screening may either be continuous, discontinuous or a combination of both. Street parking lot screening shall be provided contiguous with each common street frontage which abuts a lot. Screening shall be provided based on the planting of one deciduous tree or evergreen tree per each 25 lineal feet of street frontage or fraction thereof. In addition one approved shrub shall be planted for each required tree. Trees and shrubs may be planted anywhere along the street frontage provided: a) the total number of required trees and shrubs are planted; b) each required tree is provided with a minimum planting bed of 25 square feet with no dimension less than 5 feet; c) a planting bed consists of at least one tree; and d) the distance between planting beds and open street areas may not exceed 90 lineal feet.

   b. Perimeter parking lot screening may be continuous or discontinuous as required by this section. Perimeter parking lot screening shall be provided on the basis of planting one deciduous tree or evergreen tree for each 35 lineal feet of interior lot frontage or fraction thereof. In addition one approved shrub shall be planted for each required tree. Trees and shrubs may be planted anywhere along the interior lot line frontage provided: a) the total number of required trees and shrubs are planted; b) each required tree is provided with a minimum planting bed of 25 square feet with no dimension less than 5 feet, c) a planting bed consists of at least one tree; and d) the distance between planting beds and open interior lot areas may not exceed 120 lineal feet.

   c. Interior parking lot screening. In addition to the street and perimeter parking lot screening requirements, as specified above, interior parking lot screening is required and shall apply to all parking lots with more than 75 parking spaces. The intent for interior parking lot landscaping is to break up the large interior expanse of the parking lot. Interior parking lot landscaping shall be provided with one planting bed area for every 25 parking spaces. The minimum planting area shall be not less than 80 square feet with no dimension less than eight feet. A minimum planting bed shall consist of two trees and one shrub. Planting beds may be consolidated however a minimum of two separate planting beds shall be provided. Interior parking lot landscaping may also be provided based on 2 percent of the total area of the parking lot. Planting beds, tree and shrub requirements and planting bed geometry shall be as specified above.

   d. Buffer landscape. When required shall provide year around screening and shall consist of the following: A continuous planting bed shall be provided. The planting bed width shall be an average of ten feet with a minimum width of not less than eight feet. Two rows of trees shall be provided and shall be planted at average intervals no greater than ten feet on center. The trees shall have a minimum diameter at planting of one and one half inches in diameter and shall be a minimum of eight feet in height. No more than 50 percent of the trees shall be deciduous. An
approved man made decorative fence may substitute for one row of trees and the
planting bed may be reduced to a minimum width of eight feet.

2. **Professional design method.** A landscape plan, prepared and
sealed by a licensed landscape architect registered in the State of Alaska or a
professional with similar expertise in landscaping as determined by the Landscape
Review Board, which is equivalent to the *Prescriptive design method* shall be
considered as meeting the intent of the landscape ordinance. All landscape plans
which utilize the professional design method shall be reviewed and approved by the
Landscape Review Board.

3. **Alternative compliance method.** Project conditions associated with
individual sites may justify approval of alternative methods of compliance with the
landscape design requirements. Conditions may arise where normal compliance is
impractical or impossible, such as facilities that sell vehicles, or where maximum
achievement of the borough’s objectives and goals can only be obtained through
alternative compliance. Such landscape plans shall be reviewed and approved by the
landscape review board on a case-by-case basis.

F. **Plan submittal and inspection requirements.**

1. A preliminary landscape plan shall be submitted to the planning
department in conjunction with the zoning permit application. A performance bond or
suitable guaranty shall be posted until such time as the landscaping is completed and
approved. The amount of the bond or guaranty shall be as determined by the
Landscape Review Board or according to a schedule adopted annually by the Board
based on amount of linear feet subject to landscaping requirements.

2. A final and complete landscape plan shall be submitted to the
planning department for final approval upon completion of construction. The landscape
review board shall perform an inspection of the property following submission of the
final and complete landscape plan and notify the planning department whether the
property complies with all required landscape standards.

G. **Maintenance.**

It shall be the duty of the owner of the property to maintain all required
landscaping. If required landscaping dies, becomes damaged or destroyed, re-
landscaping of those areas or landscaping elements shall be re-planted in an approved
manner.

Section 3. 18.06.010 Definitions shall be amended to add the following
definitions in the correct alphabetical order:

**Buffer landscape.** Buffer landscape is a continuous landscape area which
separates and partially obstructs the view of two separate zoning districts from one
another. Buffer landscaping must provide year around screening. Buffer landscaping
may include berms and, approved decorative fences in conjunction with required trees
and shrubs. Decorative fences, when used as a buffering element, shall be approved
by the Landscape Review Board. The decorative fence shall have a minimum height of
7 feet. A chain link fence does not meet the intent of a decorative fence.
Interior parking lot screening. Interior parking lot screening is landscaping consisting of approved trees and shrubs that provide a natural and partial barrier or buffer to break up the large interior expanse of the parking lot. Under this definition, interior parking lot shall consist of all on-site parking spaces including access roadways and parking aisles; interior parking lot screening does not include the first row of street perimeter parking or island extensions of street or perimeter landscaping.

Parking lot surface improvement. Existing parking lots which are upgraded with a paved or chip and asphalt surface.

Perimeter parking lot screening. Perimeter parking lot screening is landscaping consisting of approved trees and shrubs that provide a natural and partial barrier or buffer between an interior property line and a parking lot.

Screen. A method of reducing the visual impact of vehicle use areas and garbage collection areas. Screens may consist of berms, approved plants, fences, walls or a combination thereof. Trash and garbage screens shall be 75 percent opaque.

Street parking lot screening. Street parking lot screening is landscaping consisting of approved trees and shrubs that provide a natural and partial barrier or buffer between a street or public right-of-way and a parking lot.

Trash and garbage areas. Trash and garbage areas are exterior centralized areas that include dumpsters, garbage receptacles, bins and trash cans.

Section 4. 18.54.060, Zoning permits, is amended as follows:

A. Generally. The requirement of obtaining a zoning permit is deemed necessary and appropriate. A review of the zoning permit application ensures the development’s conformance with the regulations and provisions of this title and other ordinances.

B. Requirements. Before any excavation, construction, relocation or installation is started for a new use, a zoning permit shall be obtained by the owner, or his/her authorized representative, of any land in both the incorporated and unincorporated areas of the borough. The zoning permit application shall include the necessary information and be submitted in accordance with the standards and procedures as adopted by the borough and as required in this title and other ordinances.

1. Except for conditional uses, changes made to any land or use in the GU-1 district and outside any designated Special Landscape Area overlay zone do not require a zoning permit.

2. The clearing or grading of a lot does not require a zoning permit.

3. Construction activities as described in Section 301(b) of the Uniform Building Code do not require a zoning permit.

C. Issuance. The department of community planning shall complete the review of a zoning permit application within five business days of the time of submission, or within fifteen business days of the time of submission if the property is
located in the Special Landscape Area. The department shall not approve a zoning permit application until it is satisfied that the proposed development meets the regulations and provisions of this title and other ordinances. A zoning permit shall not be issued for property located within the Special Landscape Area unless a preliminary landscape plan is submitted, approved and a performance bond or other guaranty is obtained in accordance with section 18.48.110 F. If approved, the department shall issue the zoning permit allowing construction to commence.

D. Any applicant denied a zoning permit due to non-compliance of the landscaping requirements may appeal to the landscape review board. The appeal shall be made in writing and submitted within one week upon rejection of the zoning permit. If an applicant, owner or developer wishes to appeal a decision of the landscape review board, they shall appeal to the board of adjustment using the appeal procedure and process provided in this Title. In addition to the other requirements of an appeal under this Title, the appeal shall be accompanied by a copy of the submitted landscape design.

Section 5. Title 2 of the Fairbanks North Star Borough Code of Ordinances is amended to add the following Chapter:

Chapter 2.105 Landscape Review Board

2.105.010 Board—Established.
A. There is created a landscape review board consisting of five members, serving without compensation, to be appointed by the mayor subject to confirmation by the borough assembly.

2.105.020 Terms and Qualifications.
A. The membership of the board shall, if possible, consist of three architects, landscape architects or other individuals with expertise in landscaping. Of the five members first appointed, one shall be appointed for one year, two for two years, and two for three years; thereafter, appointments to the commission shall be for three years except where an interim appointment is necessary to complete the term of a commissioner who resigns or dies while in office.
B. The landscape review board shall be available to meet and render a decision upon five days public notice.

2.105.030 Duties, powers and responsibilities.
The landscape review board shall have the following duties, powers and responsibilities:
A. Act when requested in an advisory capacity to the borough assembly on landscaping and urban beautification matters.
B. The power necessary to perform all tasks legally required to be performed
by the board subject to the applicant’s right of appeal to the board of adjustment.

C. Advise owners of private property in relation to beautification of such property when anyone contemplating the erection of any building or the making of any improvement submits the plans and designs or sketches thereof to the commission for advice and suggestions for which no charge shall be made by the commission.

D. Cooperate with other borough boards and commissions to promote plans and programs aesthetically compatible with policies and programs of the board.

E. Make recommendations to the planning commission and assembly regarding the designation and placement of property within the Special Landscape Area overlay zone.

F. Adopt and subsequently amend a Landscape Manual.

2.105.040 Appeals. Decisions of the landscape review board shall be appealed to the board of adjustment using the appeal procedure and process provided in Title 18.

Section 6. The FNSBC Section 1.04.050 is amended by adding a violation of landscaping requirements and zoning permits to the fine schedule as follows:

1.04.50 Fine Schedule

<table>
<thead>
<tr>
<th>CODE SECTION</th>
<th>OFFENSE</th>
<th>PENALTY/FINE</th>
<th>MANDATORY WARNING REQUIRED</th>
</tr>
</thead>
<tbody>
<tr>
<td>18.54.060</td>
<td>Failure to Obtain a Zoning Permit</td>
<td>$300.00</td>
<td>Yes</td>
</tr>
<tr>
<td>18.48.110</td>
<td>Failure to Comply with Landscaping Requirements</td>
<td>$300.00</td>
<td>Yes</td>
</tr>
</tbody>
</table>

Section 6. Effective date. This ordinance shall be effective at 5:00 p.m. on the 30th borough business day following its adoption.
PASSED AND APPROVED THIS 14th DAY OF JUNE, 2007.

Ayes: Foote, Winters, Musick, Therrien, Hopkins
Noes: Bartos, Beck, Frank, Rex
FAIRBANKS NORTH STAR BOROUGH

ORDINANCE NO. 2013-25

AN ORDINANCE CONTINUING THE LANDSCAPE REVIEW BOARD
FOR SIX YEARS

WHEREAS, Fairbanks North Star Borough Boards and Commissions are
authorized not to exceed six years; and

WHEREAS, the following commission was last reauthorized as indicated:

Landscape Review Board (2007)

NOW, THEREFORE, BE IT ORDAINED by the Assembly of the Fairbanks
North Star Borough:

Section 1. Classification. This ordinance is not of a general and
permanent nature and shall not be codified.

Section 2. The Board and Commission that are listed will be continued for
a period not to exceed six (6) years from the effective date of the ordinance.

Section 3. Effective date. This ordinance shall be effective at 5:00 p.m.
on the first borough business day following its adoption.

PASSED AND APPROVED THIS 28th DAY OF MARCH, 2013.

ATTEST:

Diana Hutchison
Presiding Officer

Mona Lisa Drexler, MMC
Municipal Borough Clerk

Ayes: Davies, Lawrence, Dodge, Kassel, Hutchison
Noes: Howard, Sattley, Roberts, Dukes