

Introduced by: Mayor Pruhs and Councilmembers  
Tidwell, Sprinkle, and Rogers  
Date: September 23, 2024

**RESOLUTION NO. 5136, AS AMENDED**

**A RESOLUTION IN SUPPORT OF FAIRBANKS NORTH STAR BOROUGH  
ORDINANCE NO. 2024-25 AMENDING FNSB CODE TITLE 18  
REGARDING PARKING AND LOADING REQUIREMENTS**

**WHEREAS**, parking requirements outside the right of way (ROW) for the City of Fairbanks are dictated by zoning regulations in the Fairbanks North Star Borough's code at Title 18; and

**WHEREAS**, the City of Fairbanks has long-sought out improvements to parking requirements that are ~~onerous to developers and inflexibly applied~~ and restrict creative development of the downtown to the needs of the community; and

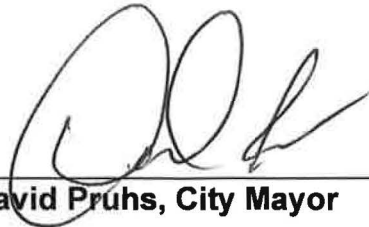
**WHEREAS**, the City of Fairbanks both acknowledges and appreciates the work of the Fairbanks North Star Borough's Community Planning Department and Planning Commission in studying parking in downtown Fairbanks and proposing amendments to FNSB's code; and

**WHEREAS**, the City of Fairbanks ~~agrees with~~ understands that Fairbanks North Star Borough's Ordinance No. 2024-25 ~~adopts many of the recommendations from the Community Planning Department and Planning Commission, namely that it amends Title 18 to exclude the central business district from off-street parking and loading requirements;~~ verifies that the Americans with Disabilities Act (ADA) and the International Building Code will be used for parking outside the ROW ~~establishes reasonable standards for off-street parking that is required, incorporates modernized language for accessibility;~~ and establishes administrative review for flexible application of the regulation.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Fairbanks supports the Assembly's adoption of the proposed substitute to Fairbanks North Star Borough Ordinance No. 2024-25 ~~in the form that passed unanimously from the Planning Commission on September 10, 2024,~~ as attached.

**BE IT FURTHER RESOLVED** that the City Clerk is directed to provide the Borough Director of Community Planning and the Borough Clerk with an executed copy of this Resolution for distribution to the Borough Planning Commission and Borough Assembly.

**PASSED and APPROVED this 14th Day of October 2024.**

  
\_\_\_\_\_  
David Pruhs, City Mayor

YEAS: Tidwell, Cleworth, Marney, Ringstad, Sprinkle, Rogers  
NAYS: None  
ABSENT: None  
APPROVED: October 14, 2024

ATTEST:

APPROVED AS TO FORM:

  
\_\_\_\_\_  
D. Danyielle Snider, MMC, City Clerk

  
\_\_\_\_\_  
Thomas A. Chard II, City Attorney

1 **PROPOSED SUBSTITUTE**  
2 **By: MINDY O'NEALL**

By: Mindy O'Neall  
Referred to the Planning  
Commission: August 22, 2024  
Introduced: October 10, 2024

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5  
6 FAIRBANKS NORTH STAR BOROUGH

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8 ORDINANCE NO. 2024 – 25

9  
10 AN ORDINANCE AMENDING FNSBC TITLE 18 REGARDING PARKING AND LOADING  
11 REQUIREMENTS  
12

13 WHEREAS, Parking standards are set forth in FNSBC Title 18, and **[DO NOT**  
14 **ALWAYS ACCURATELY REFLECT OVERALL PARKING NEEDS]**may be overly  
15 restrictive in some instances; and  
16

17 WHEREAS, It is appropriate to maintain a flexible parking standard that **[IS**  
18 **BASED UPON LOCAL COMMUNITY NEEDS IDENTIFIED THROUGH**  
19 **OBSERVATION]**can adapt to unforeseen requirements of future business  
20 models and stakeholder desires; and  
21

22 WHEREAS, Staff collected parking data from multiple businesses and multi-  
23 family residences, throughout different days of the week and different times of day; and  
24

25 WHEREAS, As part of the adopted downtown plan, Downtown Fairbanks  
26 2040, Fairbanks North Star Borough (Borough) Department of Community Planning Staff  
27 conducted a parking study showing a surplus of parking in the downtown area, totaling  
28 9,473 parking spaces on private property and public right-of-way; and  
29

30 WHEREAS, In the downtown parking study the average occupancy rate of  
31 downtown parking spaces was less than 30%; and  
32

AMENDMENTS ARE SHOWN IN LEGISLATIVE FORMAT  
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33 WHEREAS, Current parking requirements in the Central Business District  
34 result in inefficient use of land in a zone intended for high-density development and the  
35 downtown area has been proven to have a surplus of parking through the parking  
36 study conducted as an aspect of the adopted Downtown Plan, Downtown  
37 Fairbanks 2040; and

38  
39 WHEREAS, An excessive parking supply can reduce density, increase the  
40 cost of development, create an uninviting built environment, and degrade the natural  
41 environment by increasing storm water runoff, and can induce flooding; and

42  
43 WHEREAS, The current zoning code does not allow backing into the public  
44 rights-of-way and this can be done safely on low speed/volume roadways with approval  
45 of the roadway's managing authority; and

46  
47 WHEREAS, The Borough's accessible parking standards are far lower than  
48 the federal minimum parking requirement for accessible parking; and

49  
50 WHEREAS, The City of Fairbanks, the City of North Pole, the Alaska  
51 Department of Transportation and Public Facilities, and the Borough manage  
52 the public right-of-way that is under their respective managing authority; and

53  
54 WHEREAS, Each managing authority of public right-of-way has  
55 their own driveway permit process that developers must follow, including  
56 regarding the backing of vehicles into a street; and

57  
58 WHEREAS, Borough zoning code allows vehicles to back into  
59 public right-of-way in certain instances, and this ordinance would require  
60 approval of the managing authority for this to continue; and

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61  
62 WHEREAS, While standards of the Americans with Disabilities Act  
63 (ADA) are incorporated into adopted building codes, not all areas of the  
64 Borough are required to follow building code, particularly outside of the City  
65 of Fairbanks and the City of North Pole; and

66  
67 WHEREAS, Similar to FNSBC Title 17, Subdivisions, a section has  
68 been added to this ordinance clarifying that if a City has a higher standard than  
69 what is listed in FNSBC Title 18's "Accessible Parking Requirements," that  
70 higher standard would apply; and

71  
72 WHEREAS, If on-street parking spaces are in close proximity to a  
73 proposed development, this ordinance allows flexibility to reduce the number  
74 of parking spaces that the developer would be required to provide, but in no  
75 way reserves on-street parking solely for such development nor preempts the  
76 managing authority's ability to regulate the use of such on-street parking,  
77 including but not limited to maximum time occupancy; and

78  
79 WHEREAS, It is best practice to ensure that no wall, post, guardrail  
80 or other obstruction would restrict a car door from opening adjacent to signed  
81 parking spaces; and

82  
83 WHEREAS, Updating parking standards complies with the FNSB Regional  
84 Comprehensive Plan Land Use Goal 4: To enhance development opportunities while  
85 minimizing land use conflicts; and

86  
  
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87 WHEREAS, This update promotes Economic Development Goal 2: To  
88 diversify the economy; Action A: Encourage transportation projects that would provide  
89 new economic opportunities and result in lower costs of doing business; and  
90

91 WHEREAS, This update supports Downtown Fairbanks 2040 Land Use  
92 Strategy 1: Create a walkable, accessible, navigable Downtown year-round; Action A:  
93 Update the zoning code to achieve a more walkable Downtown, especially regarding  
94 setbacks, street infrastructure, parking standards, and winter city adaptations; and  
95

96 WHEREAS, This parking code update is supported by Downtown Fairbanks  
97 2040 Parking Strategy 2: Encourage new development by lessening or eliminating the  
98 requirement for new surface level parking downtown; and  
99

100 WHEREAS, Parking Strategy 2 of Downtown Fairbanks 2040 states  
101 "Encourage new development by lessening or eliminating the requirement for new  
102 surface level parking Downtown"; and  
103

104 WHEREAS, Downtown Fairbanks 2040 specifically states to "Require much  
105 less off-street parking for each use" and "Encourages up to 100% shared parking for new  
106 development where high use peak hours do not overlap..."; and  
107

108 WHEREAS, On-street parking is largely unaccounted for in our parking code  
109 and it should be able to contribute toward meeting minimum parking requirements for  
110 higher turnover uses like commercial; and  
111

112 WHEREAS, Establishing a process and criteria to allow unique developments  
113 to deviate from the written standard would promote fairness and equity.  
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115 NOW THEREFORE, BE IT ORDAINED by the Assembly of the Fairbanks  
116 North Star Borough:

117  
118 Section 1. Classification. This ordinance is of a general and permanent  
119 nature and shall be codified.

120  
121 Section 2. FNSBC 18.96.060, Off-street parking and loading requirements,  
122 is amended as follows:

123 In all districts, except the GU-1, general use district, and the CBD, central business  
124 district, off-street parking and loading areas shall be provided in the amount and location  
125 as set forth herein.

126 A. General Provisions.

127 1. The off-street parking and loading facilities required by this section shall be  
128 established.

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

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

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

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

140 2. Except as otherwise indicated, the number of parking spaces shall be  
141 determined by the net floor area, which for the purpose of this section shall mean that  
142 floor area of the building accessible to or devoted to use by the customer or patron of a

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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. Athletic clubs: one space per 300 square feet;

2. Banks and other financial institution: one space per 300 square feet;

[1]3. Bed and breakfast residence: One space per guestroom over four rooms;

[2]4. Bowling alley: one space per [THREE SEATS]750 square feet;

5. Child care home, child care group home, and child care center: three spaces per four employees;

6. Craft distillery, microbrewery, lounge, and bar: one space per three seats;

7. Elementary and middle school building: one space per five enrolled students, not including minimum parking for auditoriums;

[3]8. Furniture store: one space per [500]1000 square feet of sales area;

[4]9. Hospital, clinic, and sanitarium: one space per three beds;

[5]10. Hotel (guestrooms only, add other uses extra), roominghouse: three spaces per four guestrooms;

11. Industrial manufacturing: three spaces per four employees;

[6]12. Office (including professional offices): one space per [200]300 square feet;

[7]13. Residential: one space per dwelling unit, and one additional parking space per bedroom over four bedrooms;

[8]14. Retail building or s[S]tore (except furniture): one space per [200]400 square feet of sales area;

15. Secondary, trade, and university school building: one space per three enrolled students not including minimum parking for auditoriums;

[9]16. Theater or auditorium (including school auditoriums), church, funeral parlor, Assembly hall: one space per four seats;

[10]17. Restaurant: one space per three seats;

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171 18. Shopping center (including strip mall style development): one space per  
172 400 feet of net floor area;

173 [11. TRAILER PARK, HOTEL: ONE SPACE PER UNIT;

174 12]19. All commercial and industrial uses not otherwise designated: three spaces  
175 per four employees.

176 [NO OFF-STREET PARKING IS REQUIRED IN THE GENERAL USE ZONE OR IN THE  
177 DOWNTOWN CORE AREA BOUNDED BY FIRST AVENUE TO FIFTH AVENUE, NOBLE  
178 STREET TO BARNETTE STREET, AND FIRST AVENUE TO THIRD AVENUE, BARNETTE  
179 STREET TO WICKERSHAM STREET.]

180 D. Minimum Standards for Off-Street Loading Facilities. For every use requiring [THE  
181 LOADING AND UNLOADING OF MERCHANDISE]heavy commercial truck delivery on a  
182 regular basis, off-street facilities for loading and unloading within or adjacent to the  
183 building shall be provided in a manner as to not obstruct the traffic movement on adjacent  
184 streets and alleys. [NO OFF-STREET PARKING SPACE SHALL BE USED AS AN OFF-STREET  
185 LOADING FACILITY.] If on-street loading causes adverse impacts on the flow of traffic,  
186 an off-street loading facility shall be required.

187 E. Location of Off-Street Parking Spaces. All required off-street parking spaces shall  
188 be located within the property lines of the same zoning lot, or, where permitted, on a lot  
189 within 300 feet of the [ZONING LOT THAT ACCOMMODATES THE BUILDING,]nearest  
190 public entrance of the structure or use being served. Distance measurements shall not  
191 extend beyond the nearest ordinary high water (OHW) mark of a river or lake or beyond  
192 the nearest edge of a right-of-way (ROW) of a controlled access facility, unless designated  
193 pedestrian crossing areas are provided.

194 F. Shared Off-Street Parking Spaces. Up to [50]100 percent of the off-street parking  
195 spaces required for a particular use may be utilized by other uses seeking additional off-  
196 street parking spaces; provided, that the uses involved are not normally open, used or  
197 operated during the same hours as the primary use for which such off-street parking  
198 spaces are required, and that a written agreement is drawn assuring their retention for

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such purposes as set forth herein. The written agreement must be recorded on all impacted lots.

G. [HANDICAPPED]Accessible Parking Requirements. [THERE SHALL BE PROVIDED ONE HANDICAPPED EQUIPPED]Accessible and designated off-street parking space(s) [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 UNOBSURED SIGN] shall be provided as required by this section, unless the American with Disabilities Act and regulations provides a higher or different standard. **If a city's building code contains stricter standards than this subsection and the property is within the city, any higher standards also apply.**

1. Proximity to building entrances and accessible routes. Accessible parking spaces must be located on the shortest accessible route of travel to an accessible facility entrance and positioned in a manner to allow individuals to exit their vehicles and access the route. An accessible route of travel includes curb ramps or sloped curb cuts to connect accessible parking spaces with sidewalks or pathways that are free from obstacles or obstructions.

2. Car accessible parking. Parking spaces must be at least 96 inches wide and be served by an access aisle that is at least 60 inches wide and allows safe and unobstructed transfer from the vehicle.

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226       3.     Van accessible parking. When required, van-accessible spaces must be at  
227 least 132 inches wide and served by an access aisle at least 60 inches wide, or  
228 alternatively may be 96 inches wide with an access aisle 96 inches wide.

229       4.     Surface slope, stability and firmness. Accessible parking spaces and access  
230 aisles should have no more than a 1.48 (2.08%) slope in all directions, be smooth, free  
231 from significant cracks or irregularities, slip-resistant, and capable of supporting the  
232 weight of mobility devices.

233       5.     Visibility and signage. Accessible parking spaces must be clearly marked  
234 with a sign depicting a white graphic of a person using a wheelchair on a blue background,  
235 and positioned at a height to ensure visibility at least 60 inches above grade, measured  
236 to the bottom of the lowest sign. A van space must include a second sign stating the  
237 space is van accessible. Striping of parking accessible parking spaces must contrast with  
238 the pavement color.

239       6.     Number of spaces. If parking spaces are limited to four or fewer, one van  
240 accessible parking space must be provided, and an identifying sign is not required. Ten  
241 percent of patient and visitor parking at a hospital or outpatient facility must be  
242 accessible. Twenty percent of patient and visitor parking at a rehabilitation or outpatient  
243 physical therapy facility must be accessible. For all other uses, the total number of  
244 required accessible spaces is as set forth herein.

<u>Total Number of Parking Spaces Provided in an Off -Street Parking Facility</u>	<u>Minimum Number of Accessible Parking Spaces</u>
<u>1 to 25</u>	<u>1</u>
<u>26 to 50</u>	<u>2</u>
<u>51 to 75</u>	<u>3</u>
<u>76 to 100</u>	<u>4</u>
<u>101 to 150</u>	<u>5</u>
<u>151 to 200</u>	<u>6</u>
<u>201 to 300</u>	<u>7</u>
<u>301 to 400</u>	<u>8</u>
<u>401 to 500</u>	<u>9</u>

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<u>500 to 1000</u>	<u>2% of total parking provided in each lot or structure</u>
<u>1001 and over</u>	<u>20 plus 1 for each 100 over 1000</u>
	<u>At least one of every six spaces must be van accessible.</u>

245

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

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

252 2. Turning and maneuvering space shall be located entirely on the lot or  
253 zoning lot of the use being served; except this does not apply  
254 to [COMMERCIAL USES WHERE THE PRIMARY PURPOSE OF PARKING IS FOR ON-SITE  
255 EMPLOYEES; AND PROVIDED, THAT THE EXITING VEHICLES WILL NOT BE REQUIRED  
256 TO BACK INTO A STREET CLASSIFIED AS A (A) MAJOR COLLECTOR OR ARTERIAL OR  
257 (B) MINOR COLLECTOR UNLESS THE MANAGING PUBLIC AGENCY HAS PROVIDED  
258 APPROVAL.]parking lots designed to back onto (a) roadways with a local functional  
259 classification; or, (b) roadways with a minor collector classification [AND APPROVAL  
260 OF], unless approved by the public agency managing the roadway. Backing onto  
261 roadways with a functional classification of major collector or arterial is not permitted. A  
262 portion of an alley may be credited as turning and maneuvering space.

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

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

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5. All off-street parking and loading facilities including circulation drives and access routes shall be paved or surfaced with at least two inches of compacted gravel and graded and drained.

I. Use of On-Street Parking Spaces to Meet Minimum Standards for Off-Street Parking Spaces. For commercial uses contained in subsection (C), signed and striped on-street parking spaces located within 300 feet of the nearest public entrance of the building, structure or use being served may account for up to 50% of the required off-street parking (this does not commit these spaces exclusively to any structure or use).

This provision does not extend to residential or industrial uses.

J. Administrative Approval of Alternative Standards for Off-Street Parking Spaces.

1. Notwithstanding any requirements in this title to the contrary, upon application to reduce minimum standards for off-street parking spaces, the minimum standards for off-street parking spaces may be reduced by up to 50% by the Planning Director or designee, as Hearing Officer, at an administrative hearing.

2. It will be incumbent upon the applicant to demonstrate that the requirements of subsection (C) are impractical or unnecessary because:

a. Vehicular access is not the primary means of access to the proposed development; or

b. The proposed development will generate less parking demand than subsection (C) requires.

3. Within five working days after receipt of the application to reduce minimum standards for off-street parking spaces, one of the following actions shall be taken:

a. Accept the application for review and action by the Hearing Officer;

b. Return the application if it is incomplete; or,

c. Schedule the application for a Planning Commission hearing if it is determined that a more comprehensive review is needed.

4. The Hearing Officer shall make the final decision within five working days of the hearing whether or not to approve a request for a Modification of Minimum

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Standards for Off-Street Parking Spaces. The Hearing Officer shall also consider and adopt findings in each of the following:

a. Whether the proposed development, with the modification, will protect public health, safety and welfare; and

b. Whether vehicular access is the primary means of access to the proposed development or whether the proposed development will generate less parking demand than subsection (C) requires.

4. Appeals. A decision of the Hearing Officer may be appealed by any aggrieved person to the Planning Commission by filing a notice of appeal with the Borough Clerk's Office within 15 days after the final decision was mailed. The appeal shall be heard de novo by the Planning Commission. The Commission's decision may be appealed by a party to the superior court in accordance with the rules of appellate procedure.

Section 3. FNSBC 18.68.020, Central Business District, Use regulations, is hereby amended as follows:

A. Permitted Uses. In the CBD, central business district, permitted uses are:

1. Any permitted use in the GC district except residential uses on the ground floor, marijuana cultivation facilities, [AND] establishments with a drive-in/drive-through facility, and parking lots with 11 or more parking spaces as a principal use;

2. Communications tower, major;

3. Communications tower, minor;

4. Distillery, craft; except no outside storage relating to the distillery operation is allowed.

B. Conditional Uses. In the CBD, central business district, conditional uses are:

1. Any conditional use in the GC district except marijuana cultivation facilities;

2. Any establishment with a drive-in/drive-through facility;

3. Parking lots with 11 or more parking spaces as a principal use.

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325                   Section 4. FNSBC 18.68.030, Central Business District, Standards, is hereby  
326 amended as follows:

327 In the CBD, central business district, geometric standards are:

328 A.     Lot Area. There shall be no minimum lot area.

329 B.     Required Yards for All Buildings.

330         1.     Front yard shall not be required;

331         2.     Side yard shall not be required;

332         3.     Rear yard shall not be required.

333 C.     Building Height. Unlimited.

334 D.     Parking. [SEE CHAPTER 18.96 FNSBC.]For parking lots, both accessory and as  
335 principal uses, parking must meet the accessibility and design standards in FNSBC  
336 18.96.060.

337 E.     Signs. See Chapter 18.96 FNSBC.

338 F.     Exceptions to Yard, Lot Area and Building Height Requirements. See Chapter  
339 18.96 FNSBC.

340 G.     Buildings per Lot. See Chapter 18.96 FNSBC.

341

342                   Section 5. Amend FNSBC 18.96.210(D)(3), Standards for large scale  
343 development, Parking Lot Design, is hereby amended as follows:

344         3.     Parking Lot Design. In all zones, large scale development uses must meet  
345 the off-street parking requirements in FNSBC 18.96.060, off-street parking and loading  
346 requirements, unless there is a finding by the Planning Commission that the standards  
347 are impractical or unnecessary based on the unique characteristics of the development.

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

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Section 6. Effective Date. This ordinance is effective at 5:00 p.m. on the first Borough business day following its adoption.

ADOPTED THE \_\_\_\_\_ DAY OF \_\_\_\_\_ 2024.

\_\_\_\_\_  
Savannah Fletcher  
Presiding Officer

ATTEST:

APPROVED:

\_\_\_\_\_  
April Trickey, MMC  
Borough Clerk

\_\_\_\_\_  
Jill S. Dolan  
Borough Attorney

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