

Introduced By: Mayor Strle &
Councilmember Bratcher
Introduced: April 5, 2010

RESOLUTION NO. 4410

**A RESOLUTION EXPRESSING QUALIFIED SUPPORT FOR
FAIRBANKS NORTH STAR BOROUGH ORDINANCE 2010-09
REGARDING IMPLEMENTATION OF THE VISION FAIRBANKS
DOWNTOWN PLAN**

WHEREAS, the Vision Fairbanks Downtown Plan was adopted in 2008 by the Fairbanks North Star Borough as an element of the Comprehensive Plan, and

WHEREAS, the City of Fairbanks passed Resolution 4318 on April 7, 2010, which endorsed the Vision Fairbanks Downtown Plan as a guide, but not a legal mandate, for the future development of Downtown Fairbanks; and

WHEREAS, Fairbanks North Star Borough Mayor Luke Hopkins has sponsored and introduced Borough Ordinance 2010-09, which would amend Borough zoning laws that apply in Downtown Fairbanks; and

WHEREAS, Ordinance 2010-09 would amend zoning laws to create a new "Downtown Supporting Commercial District," create a "Retail Hot Spot District," adopt "Downtown Core Development Standards" and add new zoning definitions; and

WHEREAS, the Borough has provided City staff with the opportunity to extensively review Ordinance 2010-09, and the draft ordinance was amended to reflect some of the concerns raised by City staff, and

WHEREAS, while Ordinance 2010-09 would not affect existing "grandfathered" property uses, it would adopt mandatory zoning changes that would place additional requirements on development of property in Downtown Fairbanks.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FAIRBANKS, ALASKA as follows:

1. The City Council applauds the effort that has gone into Borough Ordinance 2010-09 and appreciates the opportunity for collaboration.
2. The City Council supports the goals of Ordinance 2010-09, but believes the goals of Vision Fairbanks should be achieved voluntarily and not by legal mandate subjecting future owners to potential criminal liability.
3. There are two particular issues that the City Council requests be

amended:

a. Proposed 18.30.020(A)(29) does not permit ground floor use for new professional offices in the Retail Hot Spot District. This limitation may deter the vitality of Downtown Fairbanks by prohibiting commerce that is appropriate in the Downtown of a small city. This concern would be mitigated if the boundaries of any Retail Hot Sport were defined to a limited area as illustrated on page 16 of Vision Fairbanks Downtown Plan 2008.

b. Proposed 18.50.210(C)(4) bans the use of tinted or reflective glass as part of Downtown Core Development Standards. This limitation would limit the use of tinted/reflective glass for conserving energy and/or providing privacy.

PASSED AND APPROVED THIS ___ DAY OF APRIL, 2010.

Terry Strle, City Mayor

AYES:

NAYS:

ATTEST:

APPROVED AS TO FORM:

Janey Hovenden, City Clerk

Paul J. Ewers, City Attorney