PLANNING COMMISSION MEETING

AUGUST 13, 2019
A. CALL TO ORDER AND ROLL CALL

B. MESSAGES
   1. Citizen’s Comments – limited to three (3) minutes
      a. Agenda items not scheduled for public hearing
      b. Items other than those appearing on the agenda
   2. Communications to the Board
   3. Disclosure & Statement of Conflict of Interest

C. APPROVAL OF AGENDA AND CONSENT AGENDA
   Approval of consent agenda passes all routine items indicated by asterisk (*) on agenda. Consent agenda items are not considered separately unless any Commission member or citizen so requests. In the event of such request, the item is returned to the general agenda.

D. *MINUTES

E. QUASIJUDICIAL HEARING
   1. V2019-003 A request by Steven Brooks ADOT&PF Right-of-Way Agent, on behalf of George E. Sikorski for lot size variance of 69,431 square feet to the RA-5 zone requirement of 200,000 square feet. Prior to the right-of-way acquisition this lot was 130,680 square feet. This project leaves a remainder lot of 130,569 sq. ft. The property is located at 878 McGrath Road.

   2. V2019-004 A request by Steven Brooks ADOT&PF Right-of-Way Agent, on behalf of Quinton O. Parker for lot size variance of 108,608 square feet to the RA-5 zone requirement of 200,000 square feet. Prior to right-of-way acquisition the lot was 95,832 square feet. This project leaves a remainder lot of 91,392 sq. ft. This parcel is located at 814 McGrath Road.

F. EXCUSE FUTURE ABSENCES

G. COMMISSIONER’S COMMENTS/COMMUNICATIONS
   1. FMATS

   2. Other

H. ADJOURNMENT
MINUTES

July 23, 2019
A regular meeting of the Fairbanks North Star Borough Planning Commission was held in the Mona Lisa Drexler Assembly Chambers, Juanita Helms Administration Center, 907 Terminal Street, Fairbanks, Alaska. The meeting was called to order at 6:05 p.m. by Mindy O’Neall, Chair.

A. CALL TO ORDER AND ROLL CALL

MEMBERS PRESENT: Chris Guinn    Kerynn Fisher
John Perreault    Doug Sims
Charles Whitaker    Mike Kenna
Toni Abbey    Eric Muehling
Mindy O’Neall

MEMBERS EXCUSED: None

OTHERS PRESENT: Christine Nelson, Director of Community Planning
Kellen Spillman, Deputy Director of Community Planning
Melissa Kellner, Community Planning
Kristina Heredia, Planner II
Annmarie Billingsley, Assistant Borough Attorney
Mary Bork, Clerk

B. MESSAGES

No disclosures or statements of conflict of interest from Board.

C. APPROVAL OF AGENDA AND CONSENT AGENDA

Amended to reorder the agenda.

MOTION: To approve the agenda and the consent agenda by Commissioner Muehling seconded by Commissioner Whitaker.

MOVED WITHOUT OBJECTION OR ROLL CALL

D. MINUTES

Minutes from July 9, 2019 Planning Commission Meeting.

E. QUASI-JUDICIAL HEARING

1. CU2019-012: A request by Timothy Abbott for conditional use approval of a guesthouse, located at 3030 Maule Lane, in the Rural Residential (RR) zoning district on Lot 4, Block 8, Airway First Addition (on the north side of Maule Lane, northeast of Flight Street). (Staff Contact: Kristina Heredia)
Kristina Heredia presented the staff report. Based on the staff analysis, the FNSB Department of Community Planning recommended approval.

**Commissioner Muehling** asked that with the guesthouse being behind the primary residence, are there issues with emergency services accessing. Ms. Heredia replied that due to not receiving public feedback from notices sent to that fire service area, it did not appear to be a concern.

**Commissioner Muehling** asked if the area was on City water or well water and if the compost from the composting toilet needed to be 100’ from the neighbors well. Ms. Heredia answered that the area is on well water and that the ADEC does not have specific regulations.

**Commissioner Sims** asked if the applicant is aware of the setbacks and if they will be able to meet the structural setback requirements. Ms. Heredia responded that Community Planning has verified the applicant’s site plan and all setback requirements are met.

**Applicant Testimony**

**Timothy Abbott** testified as follows:

- Structure is basically a mother-in-law cabin and will be used for family and friends when they visit.
- They have no future plans to have access to the structure from Plack Road.
- They have not purchased the composting toilet as of yet, but will be doing so in the near future.

**Commissioner Guinn** inquired into how visitors would be taking baths or showers. Applicant replied that they would use the main house. Confirmed that there would be no real bathroom and can be compared to a dry cabin.

**Commissioner Muehling** asked staff about the response that they had received from the public. Ms. Heredia replied that the concern was regarding access from Plack Road. It was communicated that access from Plack Road was prohibited.

**MOTION:** I move to approve the Conditional Use Permit (CU2019-012) for a guesthouse on Lot 04, Block 08, Airway Subdivision, First Addition, with three (3) conditions, and adopting the staff report and three (3) Findings of Fact in support of the approval by **Commissioner Perreault** seconded by **Commissioner Sims**.

Discussion ensued among Commissioners. Commissioners mentioned the applicants seemed to be following proper procedures and in compliance with laws and regulations.
ROLL CALL
Nine (9) in Favor: Sims, Perreault, Guinn, Whitaker, Kenna, Abbey, Fisher, Muehling, O’Neall
Zero (0) Opposed

MOTION PASSED

CONDITIONS OF APPROVAL
1. If an addition is made to the guesthouse that increases the size of the guesthouse to be equal to or greater than the principal dwelling, a modification to the conditional use permit is required pursuant to FNSBC 18.104.050(F).
2. Only one shared driveway access will be allowed on the property to minimize the appearance of the guesthouse, and to be in accord with Note 7 of the Final Plat for the Airway Subdivision, First Addition.
3. The composting toilet must be installed per ADEC guidelines and regulations.

FINDINGS OF FACT
1. The proposed conditional use conforms to the intent and purpose of Title 18 and of other ordinances and state statutes because:
   a. The proposed conditional use is consistent with the ‘Perimeter Area, Preferred Residential’ comprehensive plan land use designation because it supports a variety of residential development.
   b. FNSB Regional Comprehensive Plan Land Use Goal 1 and Goal 3 are supported by the conditional use by increasing the density of the neighborhood in a manner that supports a variety of residential development.
   c. The intent of Title 18 is met because the conditional use, with conditions, protects private property rights and promotes public health, safety, and welfare.
   d. The proposed conditional use conforms to state statues because the applicant intends to install a composting toilet in accordance with applicable ADEC regulations.
2. There are adequate existing energy and transportation facilities serving the site and other public services are available to serve the proposed conditional use.
   a. The dry cabin will have a composting toilet, which will be constructed in accordance with ADEC regulations.
   b. The subject property is served by the North Star Fire Department for emergency fire response.
   c. The subject property has adequate power supply because it is served by the GVEA grid.
   d. The subject property is served by the Alaska State Troopers for law enforcement.
   e. The subject property has access from Maule Lane which is a Local type roadway maintained by the Airway Service Area. Maule Lane can accommodate the proposed additional trips generated from the property.
3. The proposed conditional use protects public health, safety, and welfare because the property complies with Title 18 standards for the RR zone (FNSBC 18.40) as well as with other applicable land use related laws.
   a. The conditional use does not greatly increase the residential density in the neighborhood because it will only add one additional single-family dwelling unit.
   b. Noise, odor, dust and other negative impacts to the neighborhood are not expected to be created by the addition of a second dwelling unit as there is already an existing dwelling unit in a residentially developed neighborhood.
   c. A shared driveway will help ensure the safety of drivers by limiting the number of driveway accesses off of Maule Lane.
   d. The dry cabin will have a composting toilet installed in accordance with ADEC regulations.

   **CU2019-012 APPROVED**
   **[NINE IN FAVOR/ ZERO OPPOSED]**

This decision may be appealed in writing to the Office of the Borough Clerk within fifteen (15) days from the date of the decision to the Fairbanks North Star Borough Board of Adjustment.

**F. PUBLIC HEARING**

1. **RZ2019-004:** A request by Colin Craven (DNR Land Sales) to rezone approximately 120 acres from General Use (GU-1) to Rural Agriculture (RA-5 & RA-40) or other appropriate zone, for property located at N1/2, NW1/4, & NW1/4, NE1/4 of Section 23, T1N, R1E, FM (east side of Juniper Drive, north of Luther’s Loop). *(Staff Contact: Kristina Heredia)*

Kristina Heredia presented the staff report. Based on the staff analysis, the FNSB Department of Community Planning recommended approval of the rezone.

**Mr. Tim Shilling,** DNR (applicant), provided testimony explaining the application and the concurrent subdivision process.

**Commissioner Sims** questioned the limited accessibility options for the property. Mr. Shilling responded that the subsequent purchaser would have the same access rights as other Ezra Road residents and could secure easements and access rights as needed.

**Commissioner Guinn** and Mr. Shilling discussed the activity of the river in that area and inquired if there had been any discussion into making it an OR zone. If it was zoned OR, there would be a wider public process.

**Commissioner Muehling** asked about the setback on Steele Creek was the goal to have a Riparian setback. Mr. Shilling confirmed that was the case and included that the proposed setback was 300’ on either side of the high watermark.

**Commissioner Muehling** asked if the suggestion to have the eastern portion be zoned RA-20 rather than RA-40 would be a benefit. Mr. Shilling responded that the
Department of Natural Resources would prefer to see it zoned as RA-40 primarily due to the concern of further subdivision of that parcel and would allow for continued agricultural use.

**Commissioner Whitaker** asked what the DNR process is of proposing a piece of property for sale. Mr. Shilling explained the project area selection; comparing the process to a comprehensive plan. The properties are selected by identifying as suitable for settlement and through public nominations.

**Commissioner Whitaker** asked if the rezone was approved for the RA-40 zone. Does DNR list it for sale, does DNR list the property or does it just stay for sale. How does it work? Mr. Shilling responded that it would become available through DNR annual sealed bid auction.

**Commissioner Sims** questioned consistency within the subdivision about being able to further subdivide. Mr. Shilling responded that during the public comment period, the biggest concern was being able to further subdivide on the East side of Steele Creek.

**Public Testimony**

**Gary Newman** testified as follows:
- He owns the 20 acre tract north of the proposed rezone, is President of Ezro Road Organization and presented contour maps of the area.
- People are not denied access on Ezro Road and it is maintained by contributions, donations and volunteers.
- Mr. Newman stated his opinion that the lower portion of the property was not suitable for agricultural use.

**Commissioner Fisher** asked how the road association works in terms of maintaining the road. Mr. Newman explained that they ask for donations from members and have an agreement with GCI, who has an earth station located in the area, who also contributes.

**Commissioner Guinn** asked for more history of Ezro Road. He mentioned that at one time it (Ezro Road) was supposed to be closed off at least once a year. Mr. Newman responded that they make sure Ezro Road is accessible to school buses, mail delivery and other public services.

**Commissioner Muehling** asked if emergency vehicles could access Ezro Road. Mr. Newman replied that emergency vehicles could access the road and that there was a turnaround at the end of the road.

**Commissioner Muehling** asked why GA-20 (RA-20) has more flexibility. Inquired into what the purpose would be of having further flexibility. Mr. Newman replied that the land isn’t suitable for agricultural development and would prefer to see it preserved as a wildlife corridor. The option to divide the parcel would be of interest.
Commissioner Sims asked for clarification on the proposed lot split as it seemed to contradict Department of Natural Resources’ statement for further subdividing. Mr. Newman responded that property owners did not want small subdivisions in the area. Agreed that it would be beneficial to have it zoned other than GU-1. A little flexibility, will not figure in to the platting changes occurring in December of this year.

MOTION: I move to recommend approval of the rezone (RZ2019-004) for the property located at N1/2, NW 1/4, & NW1/4, NE1/4 of S23, T1N R1E FM, from General Use 1 (GU-1) to Rural Agriculture (RA-5 & RA-40), and adopt the staff report and six (6) Findings of Fact in support of the recommendation of approval. By Commissioner Muehling seconded by Commissioner Perreault.

Commissioner Muehling mentioned that getting the property out of GU-1 is positive for the neighborhood and supports the residential character of the area.

Commissioner Guinn appreciated the public recommendation to have flexibility with the 20 acre lots on the Eastern side of Steele Creek but disagrees and would rather keep it RA-40 to keep accessibility to a minimum; preventing people from harming the area.

Commissioner Fisher and Commissioner Abbey discussed further accessibility challenges and the potential negative impact on the property, but agrees with the rezoning of the parcel.

ROLL CALL
Nine in Favor: Perreault, Guinn, Whitaker, Fisher, Muehling, Abbey, O’Neall, Simms, Kenna
Zero (0) Opposed

MOTION PASSED

FINDINGS OF FACT
1. The FNSB Regional Comprehensive Plan designates the rezone area as ‘Outskirt Area’. Outskirt Area is “Area generally within a 20 to 30 minute travel time of urban destinations, and which contains primarily open space, mining and residential uses; variable densities are encouraged provided they are compatible with the surrounding community, sensitive to natural systems and have adequate water and sewer facilities. Other uses include agriculture, and supporting commercial uses.”

2. The current GU-1 zoning is less consistent with the Comprehensive Plan ‘Outskirt Area’ designation because the GU-1 zone allows for most residential, commercial, and industrial uses without any permits with the exception of a few very intensive commercial and industrial uses that require conditional use permits.

3. The proposed RA-5 and RA-40 zones would better implement ‘Outskirt Area’ land use designation because the RA zone allows for low-density residential, agricultural and supporting commercial uses. The minimum lot size requirement
of 200,000 sq.ft. and 1,600,000 sq. ft. allows larger lots for future development with possible natural constrains such as soil quality.

4. The rezone conforms to the following FNSB Regional Comprehensive Plan goals:
   a. Land Use Goal 3, Strategy 7, Action B which encourages a mix of lot sizes, addresses compatibility of the surrounding community, conformance with natural systems, and recognize the importance of the rural lifestyle in the Borough.
   b. Land Use Goal 4, Strategy 10, Action A which encourages compatible land uses and recommends rezoning new subdivisions concurrent with platting process.

5. The rezone conforms to the public health, safety or welfare because:
   a. The proposed RA zone will better implement ‘Outskirt Area’ land use designation.
   b. The proposed RA zones will minimize the potential for land use incompatibility in the rezone area with the current GU-1 zone.
   c. The rezone would not make any existing lots nonconforming within the rezone area. There are no existing structures or uses within the rezone area.
   d. Having larger lots on land with possible development challenges, such as soil type, ensures property owners can develop their property with consideration to “compatibility of the surrounding community” and “conformance with natural systems”

6. The rezone is not a spot zone or a reverse spot zone because:
   a. The rezone is consistent with the comprehensive plan because it will better implement ‘Outskirt Area’ land use designation. The rezone advances Land Use Goals 3 and 4 of the Regional Comprehensive Plan.
   b. The rezone is not solely for the benefit of the property owner
   c. This rezone benefits the adjacent landowners by minimizing the potential for unknown, and potentially unlimited, trip generation under its current GU-1 zone.
   d. The FNSB residents have developed a land use vision for the area through the comprehensive planning process which designated this area as ‘Outskirt Area’. The implementation of the land use plan is a benefit to the community.
   e. The proposed rezone area of 120 acres, significantly larger than spot zone thresholds.

RECOMMENDED FOR APPROVAL
[NINE IN FAVOR/ ZERO OPPOSED]

1. ORD2019-xx: An Ordinance Amending and Adopting the Salcha-Badger Road Area Plan as an element of the FNSB Regional Comprehensive Plan: 
   (Staff Contact: Kellen Spillman)

Kellen Spillman presented the staff report with Shelly Wade (Agnew-Beck). Based on the staff analysis, the FNSB Department of Community Planning recommended the Planning Commission sponsor the draft ordinance and recommend approval to the FNSB Assembly.
**Commissioner Perreault** asked if this plan would help the argument that allocation of DOT monies help to support upgrades. Mr. Spillman responded that that is the hope and a lot of emphasis has been placed on this plan and population growth of the area.

**Commissioner Perreault** there were certain trails that were requested by the public to be preserved and if those trails will be recognized. Mr. Spillman stated that it has been discussed and that there is an opportunity this fall to get a grant to bring on a consultant to focus on those recreational areas.

**Commissioner Whitaker** asked about funding source for maintaining trails after they are built. Mr. Spillman responded that it is a challenge at the current financial climate but are trying to look into more unique options through FAST planning.

**Commissioner Muehling** stated that it was a good idea to look at the private property easements involving the trails systems and resolving those issues up front.

**Commissioner Muehling** commended everyone for their dedication to the project and thanked presenters for all the work they’ve done.

**Commissioner Abbey** commended the use of the online mapping tool as a way to increase public participation and collect comments.

**MOTION:** I move that the Planning Commission recommend approval of an Ordinance adopting the Salcha-Badger Road Area Plan as an Element of the FNSB Regional Comprehensive Plan to the FNSB Assembly by Commissioner Muehler seconded by Commissioner Guinn.

**ROLL CALL**
Nine (9) in Favor: Perreault, Guinn, Whitaker, Fisher, Muehling, Abbey, O’Neall, Simms, Kenna
Zero (0) Opposed

**MOTION PASSED**

1. **ORD2019-30 LOMR:** An Ordinance Amending Chapter 15.04 FNSBC Floodplain Management Regulations to adopt Letter of Map Revisions and Letter of Map Revisions based on Fill. *(Staff Contact: Nancy Durham)*

Nancy Durham presented the staff report. Based on the staff analysis, the FNSB Department of Community Planning recommended that the Planning Commission recommend approval to the FNSB Assembly.

**Commissioner Sims** asked specifically about the 19 parcels in the Salcha area that have the LOMR effective dates have come and gone so once ordinance is adopted those parcels already become adopted. Ms. Durham confirmed that that is the case.

**Commissioner Kenna** asked for clarification on whether or not the individuals who own those 19 lots, would or would not have to pay flood insurance. Ms. Durham
replied that with the Railroad Ordinance, there were under 10 properties that came into the flood zone. Property owners were notified.

**Commissioner Kenna** asked how many of the 19 properties would have increased costs, can those properties be identified and if those properties could be taken out of the ordinance to give them a proper hearing. Ms. Durham replied that it would be under 10, the information on the specific properties was not on hand, but available and no, the properties could not be excluded from the approval of the ordinance.

**MOTION:** I move that the Planning Commission recommends approval of Ordinance No. 2019-30 to the FNSB Assembly by **Commissioner Abbey** seconded by **Commissioner Muehling**.

**ROLL CALL**
Eight (8) in Favor: Perreault, Guinn, Whitaker, Fisher, Muehling, Abbey, O’Neall, Simms
One (1) Opposed: Kenna

**Commissioner Muehling** requested future discussion on building height restrictions.

**G. EXCUSE FUTURE ABSENCES**
None

**H. COMMISSIONER'S COMMENTS/COMMUNICATIONS**
Ms. Nelson mentioned the Planning Commission training in Anchorage on February 9, 2020. If you are interested, please let her know.

**I. ADJOURNMENT**
There being no further business, the meeting was adjourned at 9:09 p.m.

Further information may be obtained from *FNSB Department of Community Planning* at 459-1260
STAFF REPORT

V2019-003
TO: Fairbanks North Star Borough Planning Commission

THROUGH: Kellen D. Spillman, Community Planning Deputy Director

FROM: Donald Galligan, Planner IV – Transportation

DATE: August 13, 2019

RE: V2019-003: A request by Steven Brooks ADOT&PF Right-of-Way Agent, on behalf of George E. Sikorski for lot size variance of 111 square feet from the legal non-conforming size of 130,680 square feet in the RA-5 zone which has a 200,000 square feet minimum lot size to allow a lot of 130,569 square feet. The property is located at 878 McGrath Road.

I. EXECUTIVE SUMMARY

The Alaska Department of Transportation and Public Facilities (AKDOT & PF) acquired right-of-way for the McGrath Road Upgrade project. One hundred eleven square feet of this parcel was acquired for a utility pole relocation. This project and associated right-of-way impacts represents a special condition, which is peculiar to the property and not caused by the property owner. Prior to the DOT project the size of the subject parcel was less than the RA-5 minimum lot size requirement but staff finds that this was a legal non-conforming lot. The staff analysis finds that the proposed variance will meet the intent and purpose of Title 18 and of other ordinances and state statutes and will not adversely affect the public health, safety and welfare.

The Department of Community Planning recommends APPROVAL of the variance request resulting in a sub-standard lot size with one (1) condition and fourteen (14) Findings of Fact in support of approval.

II. GENERAL INFORMATION

A. Purpose

To obtain a highway variance for a right-of-way purchase of 111 square feet in the RA-5 zone.

B. Location

878 McGrath Road. Parcel is in the borough and outside the corporate limits of the City of Fairbanks.
C. Access

McGrath Road

D. Size

130,680 square feet prior to DOT acquisition and 130,569 square feet after.

E. PAN

0687390

F. Existing Zone

RA-5

G. Existing Land Use

Residential.

H. Code Violations

None known

I. Flood Zone

X (100%) (March 17, 2014 dFIRM)

J. Utilities

Parcel is served by Private Well and Septic.

K. Ownership

George E. Sikorski
878 McGrath Road
Fairbanks, AK 99712

L. Applicant

Steven Brooks, Right-of-Way Agent
Alaska DOT & PF
2301 Peger Road
Fairbanks, AK 99709
III. ZONING AND DEVELOPMENT HISTORY

This area was homesteaded on December 16, 1925. There is no recorded plat for this parcel. In 1925 there was no zoning in effect, and the plat was outside the City limits of Fairbanks. The parent parcel was originally created in 1925 through Federal Patent. At that time the parcel was 320 acres. The subject lot was created by deed in 1967. At that time there was no zoning and no minimum lot size. The lot has been sold a couple of times since 1967, once in 2009, and again in 2015 when the current owner George Sikorski purchased the property.

In 1968 the property was zoned Unrestricted Use (UU). UU had no lot size requirement. In 1971 the area zoning changed from UU to General Agriculture (GA), which had a minimum lot size requirement of 200,000 square feet. The subject lot became legal non-conforming at that time. In 1988 the zoning changed again to from GA to RA-5.

FNSBC 49.15.030 stated that “lots of record, or uses of land or structures existing at the time of adoption of, or amendment to, this ordinance may be continued even though they...
do not conform to the standards established by this ordinance”. Therefore, although the lot was undersized for the GA/RA-5 zone, it was created prior to the establishment of that zone and became a legal non-conforming lot at the time the GA/RA-5 Zone was put into effect.

State statute (AS 35.30.020) requires AKDOT & PF to comply with local planning and zoning ordinances, including zoning lot size minimum requirements when obtaining public right-of-way. This statute went into effect in 1977 and requires AKDOT & PF to obtain a variance for right-of-way acquisition for this project.

In February of 2018, the AKDOT & PF acquired 111 square feet for the McGrath Road Improvements, reducing the lot to its current size of 130,569 square feet. FNSBC18.84 requires a 200,000 square foot minimum lot size for the subject parcel and FNSBC18.104.070 allows that a variance to this numerical standard as a direct result of the right-of-way acquisition can be obtained to be in compliance with Title 18. There are special allowances for variances caused as a result of a highway project in the FNSB zoning code.

The McGrath Road Upgrades project is designed to improve traffic flow and improve safety by widening the roadway, flattening curves, improving the bicycle and pedestrian walkway, and replacing and improving signage and striping. McGrath Road is a main access road for numerous neighborhoods. The project requires the acquisition of right-of-way to aid in the implementation of access improvements. HP2017-005, the McGrath Road Upgrade highway project in its entirety was approved by the Planning Commission on July 18, 2017. (SEE ATTACHMENT 1)

The current application is only for the variance necessitated by the right-of-way acquisition from the subject parcel. Denial of the variance will not result in denial of the highway project, but would have the result of necessitating that AKDOT & PF acquire the entire subject parcel rather than the portion of the parcel associated with this variance application.
Figure 2 illustrates the approximate area of land acquired in 2018 by AKDOT & PF for the McGrath Road Upgrade project from the subject property. In 2018, the lot size was 130,680 square feet before 111 square feet were acquired. After the right-of-way acquisition the parcel remainder was 130,569 square feet.

IV. APPLICABLE APPROVAL CRITERIA

Variances are governed by the following provisions of Title 18, Fairbanks North Star Borough Code of Ordinances and Titles 29 and 35, Alaska Statutes:

*Fairbanks North Star Borough (FNSB) Code of Ordinances*
18.12.020 *Purpose*. The purpose of this title is to implement the Fairbanks North Star Borough comprehensive plan. This title is intended to protect private property rights, to promote the public health, safety and general welfare of the residents of the borough, and safety from fire and to promote the efficient distribution of water, sewage, schools, parks and other public requirements; to provide safe traffic flow on the public streets; to promote economic development and the growth of private enterprise.

18.104.070 (A) *Procedure for Highway Project Variances*. Generally, the planning commission may allow a departure from the numerical standards of this title pertaining to the size of yards and open space areas, building height and size, lot area, number and location of off-street parking spaces and loading areas, and other matters. Highway project variances must be a direct result of right-of-way acquisition.

18.104.070 (B) *Procedures for Highway Project Variances*: Application for a Highway Project Variance (2.) An application for highway project variance shall be evaluated by the following criteria:

(a) Whether special conditions exist which are peculiar to the property involved and which are not applicable to other property in the same zoning district, and

(b) Whether strict interpretation of this title would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district;

18.104.070 (D) *Procedures for Highway Project Variances*: Hearing and Decision Process

(1.) Variance Requests Not Greater Than 10 Percent. If the director of community planning determines no extraordinary circumstances exist, highway project variances which depart from the numerical standards of this title by not greater than 10 percent shall appear on the consent agenda of the planning commission. Affected property owners may address the variance application during the citizen’s comments portion of the agenda. The planning commission may remove the item from the consent agenda and may approve, approve with conditions, or deny the highway project variance. The planning commission may also refer the application to a full review including public hearing in accordance with procedures outlined for highway project variances greater than 10 percent. If the director of community planning determines extraordinary circumstances do exist, the highway project variance will appear as a regular agenda item scheduled for public hearing in accordance with procedures outlined for highway project variance greater than 10 percent.

(2.) Variance Requests Greater Than 10 Percent. Departures of greater than 10 percent from the numerical standards shall be considered by the planning commission in a quasi-judicial hearing.
18.104.070 (E) Procedures for Highway Project Variances, The planning commission shall also consider and adopt findings in each of the following:

1. Whether the proposed variance conforms to the intent and purpose of this title and of other ordinances and Alaska Statutes’

2. Whether the denial of the proposed variance will deprive the property owner of the use of property in a manner similar to the use permitted to be made by the owners of property in the immediate area;

3. Whether or not the proposed variance will adversely affect the public health, safety and welfare, traffic or parking conditions, or increase the danger of fire.

State of Alaska Statutes

Section 29.40.040 (b). A variance from a land use regulation adopted under this section may not be granted if

1. special conditions that require the variance are caused by the person seeking the variance;

2. the variance will permit a land use in a district in which that use is prohibited; or

3. the variance is sought solely to relieve pecuniary hardship or inconvenience.

Section 35.30.020 Compliance with Municipal Ordinances, A department shall comply with local planning and zoning ordinances and other regulations in the same manner and to the same extent as other landowners.

V. STAFF ANALYSIS

A. Dear Property Owner Notices

There were 179 dear property owner notices mailed out and staff received two (2) inquiries about the case.

B. Surrounding Land Use and Zoning
Land use in this area is largely single family residential in all surrounding zones. This lot is zoned Rural and Agricultural (RA-5), and it is surrounded on 3 sides by RA-5 Zoning. On the lot there is a single family residence and an accessory structure. The right-of-way acquisition from this variance in no way impacts setback requirements, so there is no change to the setback and it is within required limits. There are other residentially zoned properties in the immediate area.

The intent of the RA-5 zone is “for agricultural uses of land for very low density residential development. These districts are intended for areas where community sewer and water systems are unavailable.”

The subject lot was created with the recording of a Warranty Deed on July 24th, 1967 at 130,680 square feet in size. The parcel was located in an unincorporated area and there was no zoning in unincorporated areas at that time. Therefore, no minimum lot size was required when the lot was created. Fairbanks North Star Borough zoning designations and standards were adopted through Ordinance No. 67-34 on March 28, 1968 and the subject property was zoned Unrestricted Use (UU). There was no minimum lot size requirement under the UU zone. In 1971 the area zoning changed from UU to General Agriculture (GA), which required a lot size of 200,000 square feet. The adoption of Ordinance No. 88-010 on April 19, 1988 changed the zoning designation on the subject parcel from GA to Rural and Agricultural (RA-5), continuing the minimum lot size requirement of 200,000 square feet. At that time, FNSBC 49.15.030 stated that “lots of record, or uses of land or structures existing at the time of adoption of, or amendment to, this ordinance may be continued even though they do not conform to the standards established by this ordinance”. FNSBC 49.15.020 defined lot of record as “a plot of land, the description of which has been recorded in the office of the District Magistrate”. The subject parcel qualified as a “lot of record” as defined by the legal non-conforming (grandfather rights) code section in place at that time. Therefore, although the lot was undersized for the RA-5 zone, it was created before the RA-5 zone was put into place and was a legal non-conforming lot. With the filing of a Right of Way Deed on March, 14, 2018, the State of Alaska acquired 111 square feet from the property for right-of-way for the McGrath Road Upgrades, leaving the parcel at the current lot size of 130,569 square feet. FNSBC18.84 requires a 200,000 square foot minimum lot size for the subject parcel and FNSBC 18.104.070 allows that a variance to this numerical standard as a direct result of the right-of-way acquisition can be obtained to be in compliance with Title 18. Additionally, state statute requires AKDOT & PF to comply with local planning and zoning ordinances (AS 35.30.020). This statute went into effect in 1977 and requires AKDOT & PF to obtain a variance for right-of-way acquisition for current projects. The lot size had not been previously altered prior to the right-of-way acquisition by the State of Alaska in 2018.
C. Nearby Variances

DOT & PF has also concurrently applied for one other lot size variance related to the McGrath Road Upgrade project. The parcel considered in that case is approximately 720 feet south along McGrath Road from the subject parcel in this proposed variance. There has only been one other variance request within 2,000 feet of the subject property and it was a setback variance that was approved in 2014 (V2015-002).

D. FNSB Code of Ordinances: Title 18 Variance Application Standards
1. Whether special conditions exist which are peculiar to the property involved and which are not applicable to other property in the same zoning district.

The special condition affecting the subject property is the right-of-way acquisition required for the McGrath Road Upgrade project. The lot was a legal non-conforming lot for size and was reduced by 111 square feet taken for a right-of-way acquisition for the McGrath Road Upgrade project. The applicant's narrative states that the property was acquired to “accommodate the slightly realigned centerline.” The special condition was the result of highway projects in support of the overall health, safety, and welfare by creating a safer highway system. The special condition is unique to specific properties abutting the project area where adding land area is needed to construct improvements. This right-of-way acquisition was not initiated or caused by the property owner. The property owner was compensated at fair market value for the land acquired.

2. Whether strict interpretation of this title would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district.

The subject property is developed with a single family dwelling. In the immediate area are several residentially zoned neighborhoods. Various zoning classifications exist around the lot (See Figure 2), but they are all residential in use with varying density and construction type. These neighboring property owners enjoy their properties as they are developed. With the approved variance the current property owner will be able to use the existing property for his current residence or for a number of allowed uses in the RA-5 zone and not negatively affect the health safety and welfare of the surrounding properties. Denial of the proposed variance would deprive the applicant the use of their property in a manner as permitted to the owners of the aforementioned properties in the immediate area. Denial of the Variance would require DOT to purchase the entire parcel, thus depriving the current owner of its use. The substandard lot does not comply with Title 18 requirements without a variance.

E. FNSB Code of Ordinances: Title 18 Variance Approval Criteria

1. Whether the proposed variance conforms to the intent and purpose of this title and of other ordinances and Alaska Statutes.

Purpose of FNSBC Title 18: The purpose of Title 18 is “to implement the Fairbanks North Star Borough comprehensive plan” (FNSBC 18.12.020). The application materials are supported by Transportation and Infrastructure Goal 1 “To have a safe, efficient, multi-modal transportation system that anticipates community growth”. They also align with Land Use Goal 1, Strategy 3 of the FNSB Regional Comprehensive Plan, which is to “work to reduce to the fullest extent possible the natural conflict that develops between private property rights and community needs and interests.” The proposed variance resolves the conflict created by right-of-way acquisition that takes a privately owned property out of compliance with Title 18 standards. The proposed variance is
also consistent with the Perimeter Area designation, which is defined as an: “Area
generally within a 10 to 20 minute travel time of urban destinations, and
which contains primarily residential use; variable densities are encouraged
providing they are compatible with the surrounding community, sensitive to
natural systems and have adequate water and sewer facilities.”

**Intent of FNSBC Title 18:** The intent of Title 18 is “to protect private property
rights, to promote the public health, safety and general welfare of the
residents of the borough, and safety from fire and to promote the efficient
distribution of water, sewage, schools, parks and other public requirements;
to provide safe traffic flow on the public streets; to promote economic
development and the growth of private enterprise; and to divide the borough
into districts (FNSBC 18.12.020).”

Allowing an owner to develop their private property is an example of protecting private
property rights within the parameters of local zoning regulations. The public
notification, public hearing procedures and approval criteria for variances protect the
property rights of the surrounding property owners.

This proposed variance will promote the public health, safety, and welfare because it
will not create any fire, traffic, or safety hazards by allowing for sufficient area for
highway improvements. The minimum lot size requirement in the RA-5 zone is
intended, in part, to allow for adequate area and separation for well and wastewater
systems on site. The proposed variance is not expected to create any health, safety,
or welfare concerns because the parcel is still large enough to maintain an acceptable
distance between the well and septic systems on the lot. All setback requirements are
met.

**Alaska State Statute and Other Ordinances:** The subject property is in the FNSB
Perimeter Area and complies with the FNSB Comprehensive Plan and other ordinances.
State statute requires AKDOT & PF to comply with local planning and zoning ordinances
(*AS 35.30.020*). This statute went into effect in 1977 and requires AKDOT & PF to
obtain a variance for right-of-way acquisition for current projects. The proposed
variance complies with Alaska Statute 29.40.040(b) regarding requirements for
variances. FNSBC 18.104.070 allows the Planning Commission to grant variances to the
numerical standards of Title 18 that are the direct result of right-of-way acquisition for
highway projects.

2. **Whether the denial of the proposed variance will deprive the property
owner of the use of property in a manner similar to the use permitted to
be made by the owners of property in the immediate area;**

   See Section D2 for narrative.

3. **Whether or not the proposed variance will adversely affect the public
health, safety and welfare, traffic or parking conditions, or increase the
danger of fire.**
The proposed variance will protect the public health, safety and welfare by accommodating the development of the McGrath Road Upgrade project, which improves road safety issues including curve geometry and sight distance. The proposed variance would not create additional fire hazard concerns because the area acquired for right-of-way is adjacent to McGrath Road. The RA-5 zone does require setbacks and the right-of-way acquisitions did not decrease the distance between the right-of-way and existing structures.

F. State of Alaska Statutes: Title 29 Variance Approval Criteria

Section 29.40.040(b). A variance from a land use regulation may not be granted if:

1. Special conditions that require the variance are caused by the property owner seeking the variance;

   See Section D1 for narrative.

2. The variance will permit a land use in a district in which that use is prohibited; or

   A residential use is permitted in the RA-5 zone. This lot is developed with a private residential home.

3. The variance is sought solely to relieve pecuniary hardship or inconvenience.

   The proposed variance is not sought to relieve pecuniary hardship. This request will fulfill state and FNSB procedural requirements created by the development of the roadway project. The variance will regain compliance with Title 18 regarding lot size and the remainder of the lot has proven to be of ample size for the development.

VI. RECOMMENDATION

Based on the staff analysis, the Department of Community Planning recommends APPROVAL of the requested 111 square feet variance from the existing legal non-conforming lot size of 130,680 square feet in the RA-5 zone with one (1) condition.

VII. CONDITIONS

1. Owner’s authorization is required for the variance approval to be valid. AKDOT & PF shall provide a copy of such written authority to the Fairbanks North Star Borough Community Planning Department.
VIII. FINDINGS OF FACT

The Department of Community Planning further recommends adoption of the staff report and the following Findings of Fact in support of approval:

1. This land was originally patented on December 16, 1925. There was no zoning for this area in 1925.

2. The lot was created by deed on July 24, 1967. When the lot was created in 1967 it was legal in size as there was no zoning in effect and no required minimum lot size.

3. The “Lot of Record” is defined as “a plot of land, the description of which has been recorded in the office of the District Magistrate.”

4. When the area was initially zoned in 1968 it was zoned as Unrestricted Use (UU) and at that time did not have a minimum lot size requirement.

5. In 1971 the lot was rezoned to General Agriculture with a 200,000 square foot minimum lot size. The lot became a legal non-conforming lot at that time.

6. The acquisition of 111 square feet of right-of-way in February 2018 for the McGrath Road Upgrade project necessitates a variance since the lot will no longer be a legal non-conforming lot without one.

7. The special condition requiring a variance was the property acquisition by AKDOT for the McGrath Road Upgrade project.

8. This right-of-way acquisition will also require re-platting of this lot.

9. The proposed variance conforms to the intent and purpose of this title and of other ordinances and Alaska Statutes because it is consistent with the FNSB Comprehensive Plan Transportation and Infrastructure Goal 1 “To have a safe, efficient, multi-modal transportation system that anticipates community growth”. Land Use Goal 1 Strategy 3, protects private property rights, and promotes the public health, safety, and welfare by improved geometrics and sight distance on McGrath Road.

10. With the acquisition of the right-of-way, there is still adequate distance between the well and septic on the lot. All setback requirements are met.

11. FNSBC 18.104.070 allows the Planning Commission to grant variances to the numerical standards of Title 18 that are the direct result of right-of-way acquisition for highway projects.

12. Neighboring property owners have developed their properties with a variety of residential uses. With the approved variance the current property owner will be
able to use the existing property for the current residential use or for a number of allowed uses in the RA-5 zone, as the surrounding properties have been allowed.

13. Denial of the proposed variance would deprive the applicant the use of their property in a manner as permitted to the owners of properties in the immediate area. Denial of the Variance would require DOT to purchase the entire parcel, thus depriving the current owners of its use. The substandard lot does not comply with Title 18 requirements without a variance.

14. The proposed variance is needed to be in compliance with Title 18 is the result of property acquisition for the McGrath Road Upgrade project.

DRAFT PLANNING COMMISSION MOTION:

I move to approve the requested 111 square foot variance from the legal non-conforming size of 130,680 square feet in the RA-5 zone which has a 200,000 square feet minimum lot size to allow a lot of 130,569 square feet; with one (1) condition, adopting the staff report and fourteen (14) Findings of Fact in support of the decision.

Attachments

1: Staff Report for Local Planning Authority Approval
2: Local Planning Authority Approval Action Letter
3: Application
4: Grand Father Rights Analysis
TO: Fairbanks North Star Borough Planning Commission
FROM: Donald C. Galligan, AICP
Planner IV – Transportation
Department of Community Planning
DATE: July 18, 2017
SUBJECT: HP2017-005 McGrath Road Updates: A request by the Department of Transportation and Public Facilities for local planning authority approval of the McGrath Road Upgrade project. This project proposes to upgrade approximately 2.9 miles of McGrath Road from Farmers Loop Road to the Old Steese Highway with a new surface and safety improvements like widened shoulders and guardrail improvements. This project is anticipated to require right-of-way acquisition.

I. GENERAL INFORMATION

A. Applicant: State of Alaska
Department of Transportation & Public Facilities
2301 Peger Road
Fairbanks, AK 99701

B. Location: McGrath Road from the Intersection with Farmers Loop Road, extending approximately 2.9 miles to the Old Steese Highway.

C. Right-of-Way: Right-of-way acquisition required. These are partial lot acquisitions from approximately nine parcels.

D. Current Zoning: The roadway is primarily surrounded by Rural Agriculture-5, Rural Estate-2, Multi-Family and Rural Residential.

E. Comprehensive Plan: Perimeter Area

F. FEMA Flood Hazard: Flood Zone X: Not in a special flood hazard area

II. ANALYSIS

Current Conditions

McGrath Road is classified as a Major Collector. It is within the FMATS metropolitan planning area (MPA) and provides access to residential roads and the arterial network. The improvement extends from Farmer’s Loop Road approximately 2.9 miles to the north east to an intersection with the Old Steese Highway. The roadway forks prior its intersection with the Old Steese and currently has two 2-way intersections within 150 feet of each other on
Old Steese Highway. The improvement calls for the northernmost of these accesses to be closed. (See Figure 1). Currently the roadway is approximately 22 feet wide two-lane paved surface and has several substandard curves that will be straightened to a degree to improve safety on the road. (see Figure 2) On the western side of the road from Farmer’s Loop Road to Willow Grouse Road is a separated Bicycle/Pedestrian facility. (See Figure 3).

Figure 1—Project vicinity map.
Figure 2—Sharp curves will be slightly realigned to improve upon visibility and safety.

Figure 3—Existing separated Bicycle/Pedestrian facility on west side of road.
The average annual daily traffic count on McGrath Road is currently 2,000 vehicles per day, which is forecast to increase to 2,530 vehicles per day in 2025, and to 3,240 vehicles per day in 2045. Farmers Loop which is the western terminus of McGrath currently experiences approximately 5,280 AADT. (see Figure 4)

Figure 4—Intersection of McGrath and Farmer’s Loop.
Figure Source: Community Planning

Zoning

There are four primary zoning districts that abut McGrath Road; they are Multi-Family (MF), Rural Residential (RR), Residential Estate-2 (RE-2), and Rural Agriculture-5 (RA-5). (see Figure 5) RR is the most prevalent, followed by RA-5, and finally there are a few pockets of RE-2, and one area of MF that also abuts the corridor. Of the 4 zones, MF is the most intensive allowing residential development on lots as small as 5,000 square feet. The area on McGrath Road designated MF has a conditional use Mobile Home Park on it. RR is a less dense residential zone with the minimum lot size being 40,000 square feet. RE-2 is less dense still, requiring a minimum lot size of 80,000 square feet. Finally RA-5 is least intensive with a minimum lot size of 160,000 square feet.

McGrath Road is surrounded by residential properties. RR is prevalent in the northern portion of the corridor and RA-5 is prevalent to the south. There is one area about the middle of the corridor that is classified as MF that has a number of mobile home lots. Finally there are two
areas of RE-2 that abut the corridor. One is in the central portion of the corridor around Rambling Road, and one is just south of the Multi-Family zone around Lanni Avenue.

Figure 5—Current zoning map

Proposed Improvements

The primary goals are to enhance the structural integrity of the road, improve safety and extend useful service life. The existing facility has eleven feet or narrower lanes and little to no shoulders from beginning to the end of the project area. There is a mostly separated bicycle/pedestrian pathway from the beginning of the project at Farmers Loop to Willow Grouse Road.

The project will add 3 foot shoulders from Farmer's Loop Road to Willow Grouse Road and widen the road from Willow Grouse Road to the project’s end to provide a consistent 24 foot paved total top width to enhance safety.

Proposed improvements include:
• Reconstruct existing bicycle/pedestrian path, including realignment as needed
• Establish 3 foot shoulder for lower portion of corridor (Farmer’s Loop to Willow Grouse Road).
• Replace, repair or clean existing culverts.
• Install new culverts.
• Construct mailbox turnouts where feasible.
• Reduce the number and severity of sharp curves in the alignment.
• Rebuild and pave driveways and aprons.
• Clear areas of obstructions beyond shoulders.
• Establish 24 foot paved total top width with a 1 foot shoulder for upper portion of corridor (Willow Grouse Road to Old Steese).

Figure 6—RSA service areas.
Typical Section(S)

The proposed typical section is a paved two-lane two-way roadway:

- 11 foot driving lanes
- 3 foot shoulders from the beginning of the project to Willow Grouse Road
- 1 foot shoulder from Willow Grouse Road to the end of the project and McGrath Wye
- 2% crowned cross slope
- Separated 11 foot bicycle/pedestrian path from the beginning of the project to Willow Grouse Road
- Variable foreslopes throughout project.

The proposed typical sections are shown in Figure 7.

Figure 7--Proposed typical sections
Right-Of-Way Requirements

The acquisition of minor additional right of way will be required from several parcels. A total of 9 properties are affected due to utility relocation, and thin slivers of right-of-way are needed on the edges of lots to relocate utility poles. A right-of-way report is available in the appendix to see where the parcels are located and how much land is being purchased.

Temporary Construction Permits will be obtained for driveway reconstruction as needed.

If any right-of-way is needed from substandard sized lots as determined by zoning classification, a lot size variance will be required by FNSB. As presented, 4 of the 9 properties will need lot size variances.

Maintenance Considerations

McGrath Road is currently maintained by DOT&PF, and that is not expected to change with this project. Overall this project is anticipated to reduce maintenance costs. Maintenance will be affected by the following:

- Road reconstruction will reduce the patching/leveling efforts required to keep the surface drivable.
- Drainage improvement and slope flattening will help protect the embankment from water damage reducing maintenance effort.
- Construction of shoulders will reduce pavement spalling in the driving lanes reducing maintenance effort.
- Increased width will result in increased lane miles for snow plowing, however this added cost is anticipated to be balanced out by the improvements to the structural section and drainage, resulting in a net decrease in maintenance costs.
- Moving the primary entrance on Old Steese Hwy and removing the duplicate access point will result in fewer lane miles needing maintenance.

Utility Relocation & Coordination

Multiple utilities cross and run longitudinally along much of the project. Utility conflicts requiring relocation or adjustment include relocation of multiple utility poles, relocation of buried communication cable, and relocation or adjustment of telephone pedestals.

New locations and elevations of utilities will be coordinated with the proposed roadway improvements. Utility relocations may require the creation of a public utility easement and temporary constructions easements.

No betterment of utilities is anticipated.


A separated pedestrian/bicycle facility is present from McGrath Road’s intersection with Farmers Loop Road to the intersection of Willow Grouse Road. The existing bicycle/pedestrian facility is being reconfigured to provide a consistent offset to improve maintainability and provide a more consistent user experience.

The shoulders of McGrath Road are being widened to varying degrees throughout the complete corridor. In accordance with the Public Rights-of-Way Accessibility Guidelines (as directed by Section 5.1.1 of the AASHTO Guide for the Development of Bicycle Facilities, 4th Edition, 2012)
the grade of the separated multi-use path will not exceed the general grade of the adjacent McGrath Road. The path is contained within the highway right-of-way.

Safety Improvements

Safety improvements include:

- Rehabilitation of the road will remove heave and frost damage which will improve the driving surface.
- A continuous wider shoulder will provide more area for pedestrians and bicyclists to safely utilize the road.
- Guardrail will be replaced with compliant barrier and end terminals.
- Removal of existing sharp curves.
- Creating a consistent 5 foot separation between the path and roadway.
- Damage from ATVs will be fixed in the area between the roadway surface and the multi-use pathway.
- Removal of the duplicate access point will remove a section of 11% grade leading into a sharp curve.

Cost

The estimated cost for this project is as follows:

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Staff Analysis

McGrath Road is a Major Collector and the improvements proposed are in line with a roadway of this classification.

The proposed improvements to McGrath Road will greatly benefit the residents along the roadway as well as the travelling public. As planned, the improvements are expected to make McGrath Road safer by increasing the width of the roadway surface by adding a 3 foot shoulder on each side of the roadway, upgrading guardrail where it is needed to improve safety, and improving the bicycle and pedestrian pathway making it safer and more uniform in its function. Adding shoulders to the roadway improves safety in several ways. First, it gives drivers an area to recover if they drift off the main portion of the roadway, second it provides greater clearance and sight distance to see animals that may be on or beside the road. This project will also improve the drainage of the road by reestablishing borrow pits and ditches and fixing or replacing culverts under intersecting roads and driveways. This project also improves safety for cyclists and pedestrians by realigning the separated pathway to be a uniform distance from the roadway surface, and improving the surface and drainage of the existing pathway.

This project is consistent with the FNSB Comprehensive Road Plan, which establishes McGrath Road as a major collector within the urban area. This project is consistent with the overall FNSB Comprehensive plan as well. The most pertinent portion of the plan that applies is Transportation and Infrastructure Goal 1, Strategy 1, Action C): “Ensure that road designs improve safety and minimize adverse impacts…Reduce wildlife
interactions...Integrate Pedestrian Friendly sidewalks and bike trails." Also, Action D) states: "Retain the Integrity of neighborhoods as the road network expands". Strategy 3 states: "Make the Borough more pedestrian-friendly in urban and suburban areas and safer in rural and remote areas. Strategy 4 states: "Integrate safe Multi-use trail circulation into road networks and maintain multi-use trails for commuter and recreational purposes". Action B) Encourage use of non-motorized transportation systems.

The upgrades and standardization of the separated pathway will improve safety, promote a pedestrian and bicycle friendly environment and further serve to integrate bicycle and pedestrian improvements into the roadway network.

This project is expected to improve safety by replacing areas of guardrail that have become functionally obsolete, as well as all the improvements cited above. It will eliminate several sharp curves and construct shoulders for the entire length of the project.

This area is designated as a Perimeter Area in the Comprehensive Plan. It has been developing as a perimeter area as expected. The improvements to McGrath Road will allow this area to continue its development as a designated perimeter area.

The FNSB Assembly has final local planning authority approval authority over this project because the project proposes right-of-way acquisition and closure of a road segment. This project has been scheduled as a “non-significant public hearing” agenda item before the FNSB Planning Commission in accordance with the Memorandum of Understanding (MOU) between the FNSB and DOT&PF. It is considered “Non-Significant” as there is expected to be little controversy in this action by DOT, and the vast majority of local property owners appear to consider this project as an improvement, overdue, and necessary.

Public involvement

The DOT held a public open house on March 31, 2015. In addition the FNSB Community Planning department sent out 690 DPO letters that also solicited comment. We received 6 letters back with written comments. Every letter received is in support of the project moving forward, and soon. We received one e-mail comment that was in support of the project as well, however they requested that the portion of McGrath Road proposed to be closed, remain open for bicycles and pedestrians.

III. RECOMMENDATION

Based on the staff analysis above, the Department of Community Planning recommends that the Planning Commission recommend APPROVAL of HP2017-005 to the FNSB Assembly as being consistent with the Comprehensive Plan, adopting the staff report, and a resolution in support of HP2017-005.

IV. FINDINGS

The Department of Community Planning recommends adoption of the following Findings of Fact in support of conditional approval, as stated in the Fairbanks North Star Borough Regional Comprehensive Plan:

1. This project supports Goal 1, Strategy 1, Action C (“Ensure that road designs improve safety and minimize adverse impacts”) of the Transportation Section of the Fairbanks North Star Borough Comprehensive Plan.
This project is expected to improve safety by replacing areas of guardrail that have become functionally obsolete, as well as all the improvements cited above. It will eliminate several sharp curves and construct shoulders for the entire length of the project.

2. Goal 1, Strategy 1, Action D) states: “Retain the Integrity of neighborhoods as the road network expands”.

The expansion of McGrath Road will enhance safety in the neighborhoods it serves, as well as make better community connections possible by improving the Bicycle and Pedestrian separated pathway.

3. Strategy 3 states: “Make the Borough more pedestrian-friendly in urban and suburban areas and safer in rural and remote areas”.

Standardizing the Bicycle and Pedestrian pathway increases safety for the user and improves pedestrian connections within the area.


The improvement to the multi-use pathway enhances safe circulation into road networks and encourages use of non-motorized transportation.

V. ATTACHMENTS

Attachment A—ADOT&PF Design Study Report
Attachment B—ADOT&PF Preliminary Right-Of-Way Map
Attachment C – Received DPOs
STATE OF ALASKA
DEPARTMENT OF TRANSPORTATION
&
PUBLIC FACILITIES

RIGHT OF WAY MAP
Z628380000
McGRATH ROAD UPDATES

WITHIN SECTIONS 13, 24, AND 25 T. 01 N., R. 01 W., F.M., ALASKA
AND SECTIONS 18 AND 19, T. 01 N., R. 01 E., F.M., ALASKA
FAIRBANKS RECORDING DISTRICT
STATE BUSINESS, NO CHARGE

PRELIMINARY

LENGTH OF PROJECT: 3.086 MILES
DESIGN APPROVAL

MCGRATH ROAD UPGRADE

PROJECT NO. Z62838000/0002300

Requested by: Lauren M. Little, P.E.
Engineering Manager
Northern Region

Date: 3/7/2017

Design Approval Granted: Sarah Schacher, P.E.
Preconstruction Engineer
Northern Region

Date: 3/8/2017

Distribution: NR Design Directive 16-02 Distribution
DESIGN STUDY REPORT
FOR

MCGRATH ROAD

PROJECT NO. Z628380000/0002300

PREPARED BY: Erik Brunner

UNDER THE SUPERVISION OF: Lauren M. Little, P.E.
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<td>Figure 1</td>
</tr>
<tr>
<td>PROJECT LIMITS</td>
<td>Figure 1</td>
</tr>
<tr>
<td>TYPICAL SECTION(S)</td>
<td>Figure 3</td>
</tr>
</tbody>
</table>

DESIGN CRITERIA AND DESIGN DESIGNATION: Appendix A  
ENVIRONMENTAL DOCUMENT: Appendix B  
PAVEMENT DESIGN: Appendix C
INTRODUCTION/HISTORY

The Alaska Department of Transportation and Public Facilities (DOT&PF), in cooperation with the Federal Highway Administration is proposing the McGrath Road Upgrades project.

McGrath Road services an area of subdivisions and trailer courts and connects the Old Steese Highway and Farmers Loop Road. McGrath Road was surfaced in 1968 and in 1980 saw a minor realignment and resurfacing project. In 2000 a detached bicycle/pedestrian facility was constructed from Farmers Loop Road to Willow Grouse road on the west side of the road.

Historically the two lane roadway has exhibited moderate to severe structural issues. These problems result in continual efforts from the Maintenance and Operations Section (M&O) to maintain the facility. Inconsistent to non-existent shoulders provide little refuge area for drivers to use in an emergency.

The project vicinity is shown in Figure 1.
Figure 1. Project Location and Vicinity Map
PROJECT DESCRIPTION

McGrath Road is situated within the Fairbanks North Star Borough north of Fairbanks, Alaska. The Beginning of Project (BOP) is at Coordinated Data System mile point (CDS MP) 2.8796 at Farmers Loop Road. The End of Project (EOP) is at CDS MP 0 at the Old Steese Highway. Mile points run opposite of as-built stationing.

The primary goals are to enhance the structural integrity of the highway, enhance safety and extend useful service life. The existing facility has nominal 11 foot or less lanes and little to no shoulders from BOP to EOP. There is a mostly detached pedestrian facility from the BOP to Willow Grouse Road. Culverts, driveways, and clusters of mailboxes are present throughout the corridor. Sideslopes vary throughout the project depending primarily on embankment height.

The project will add 3 foot shoulders from Farmer’s Loop Road to Willow Grouse Road and widen the road from Willow Grouse Road to EOP to provide a consistent 24 foot paved total top width to enhance safety.

Proposed improvements include:

- Reconstruct existing pedestrian path, including realignment as needed
- Establish 3 foot shoulder for lower portion of corridor (Farmer’s Loop to Willow Grouse Road).
- Replace, repair or clean existing culverts.
- Install new culverts.
- Construct mailbox turnouts where feasible.
- Reduce the number and severity of compound curves in the alignment.
- Rebuild and pave driveways and approaches.
- Clear embankment foreslopes and backslopes.
- Establish 24 foot paved total top width with a 1 foot shouldering detail for upper portion of corridor (Willow Grouse Road to EOP).

DESIGN STANDARDS

The design of this project is based on:
- State of Alaska, DOT&PF’s Highway Preconstruction Manual (PCM)
- AASHTO’s A Policy on Geometric Design of Highways and Streets, 2011 (Green Book)

DESIGN EXCEPTIONS AND DESIGN WAIVERS

A radius of curvature design exception will be prepared for the upper portion.

DESIGN ALTERNATIVES
Three initial design alternatives for the lower section of the road were brought forward.

These alternatives were constructing a 24 foot top and maintaining the existing detached path, constructing a 40 foot top and removing existing detached path and constructing a 30 foot top and maintaining the existing path.

Input from the materials sections after completion of investigative drilling resulted in an alternative typical section for the lower section of the project which widened the roadway about its existing centerline, realigned the existing pedestrian facility and filled/removed the existing ditch between the roadway and path.

A grade raise was suggested but slope flattening will be used to push water further from the structural section of the road.

Moving the path closer to the road will also increase the opportunity for effective water management between the path and right-of-way.

Currently McGrath Road continues on a steep and curved alignment to the Old Steese Highway, and another connection to the Old Steese Highway, along McGrath Road Wye exists. During the safety analysis for this project, it was proposed that McGrath Road terminate at McGrath Road Wye, and McGrath Road Wye would be the only connection to the Old Steese Highway. The roadway geometrics for McGrath Road Wye are less steep, and improved intersection sight distance can be provided by utilizing this route. The property adjacent to this section of roadway is undeveloped, as is the portion of McGrath Road that will be terminated. No property will be cut off from access to McGrath Road with this alternative.

**PREFERRED DESIGN ALTERNATIVE**

The preferred alternative for the lower section of the project is a 28 foot total top width consisting of two 11 foot lanes with 3 foot shoulders for the lower portion and construction of a separated pedestrian facility to replace the existing detached path. This widens the road symmetrically about the existing centerline for the majority of the project in as suggested in the projects geotechnical report. The upper portion of the project will be brought to a consistent 24 foot paved total top width consisting of two 11 foot lanes with one foot paved shoulders.

McGrath Road will be terminated at McGrath Road Wye, and McGrath Road Wye will be improved to have consistent top width matching the upper portion of McGrath Road and the intersection with the Old Steese Highway will be realigned slightly to improve sight distance.

**3R ANALYSIS**

Not applicable. This is a reconstruction project.

**TRAFFIC ANALYSIS**
A traffic analysis was not performed. Shoulders were added to both protect the travelled way pavement edge from raveling and to provide a space for cyclists choosing to use the roadway. The functional classification for McGrath Road is urban major collector, and traffic is anticipated to increase at a rate of 1.25% per year. Traffic values are:

<table>
<thead>
<tr>
<th>McGrath Road</th>
<th>Base 2012</th>
<th>Predicted 2025</th>
<th>Predicted 2045</th>
</tr>
</thead>
<tbody>
<tr>
<td>ADT (2Way)</td>
<td>2150</td>
<td>2530</td>
<td>3240</td>
</tr>
<tr>
<td>DHV (11.4%)</td>
<td>245</td>
<td>290</td>
<td>370</td>
</tr>
</tbody>
</table>

**HORIZONTAL/VERTICAL ALIGNMENT**

The horizontal alignment between Farmers Loop Road and Willow Grouse will be shifted to the east where necessary to create clearance from the separated pedestrian path and existing compound curves will be removed. From Willow Grouse to the intersection with the Old Steese the alignment will be straightened to the extent practical and compound curves removed while remaining within the existing ROW.

McGrath Road currently intersects the Old Steese at two points. The existing primary access point will be closed and the portion of the road known as the “Wye” will become the only access point for the roadway. Minor horizontal realignment within the existing right of way will be necessary at McGrath Road’s intersection with the Old Steese to create a skew angle closer to 90 degrees at the intersection formerly known as the “Wye” with McGrath Road.

The vertical alignment throughout the project will primarily remain as existing with only minor grade adjustments anticipated. Abandoning McGrath Road from the McGrath Road Wye intersection east will remove an 11% grade leading into a substandard radius curve from the project.

**TYPICAL SECTION(S)**

The proposed typical section is a paved two-lane two-way roadway:

- 11 foot driving lanes
- 3 foot shoulders from BOP to Willow Grouse Road
- 1 foot shoulder from Willow Grouse Road to EOP and McGrath Wye
- 2% crowned cross slope
- Separated 11 foot pedestrian facility project left from BOP to Willow Grouse Road
- Variable foreslopes throughout project.

The proposed typical sections are shown in Figure 2.
SLOPE STABILIZATION FABRIC

1.5" HMA TYPE II; CLASS B
4" AGGREGATE BASE COURSE, GRADING D-1
SELECTED MATERIAL, TYPE A

2" HMA TYPE II; CLASS B
STE-1 ASPHALT
FOR TACK COAT
3" ATB
8" SUBBASE, GRADING F
24" SELECTED MATERIAL, TYPE A
4" INSULATION BOARD
12" SUBBASE, GRADING F
GEOTEXTILE, REINFORCEMENT-TYPE 1
12" SUBBASE, GRADING F

INSULATED SEGMENT TYPICAL SECTION

SLOPE STABILIZATION FABRIC

1.5" HMA TYPE II; CLASS B
4" AGGREGATE BASE COURSE, GRADING D-1
SELECTED MATERIAL, TYPE A

2" HMA TYPE II; CLASS B
STE-1 ASPHALT
FOR TACK COAT
3" ATB
8" SUBBASE, GRADING F
36" SELECTED MATERIAL, TYPE A
12" SUBBASE, GRADING F
GEOTEXTILE, REINFORCEMENT-TYPE 1
12" SUBBASE, GRADING F

NON-INSULATED SEGMENT TYPICAL SECTION

2" HMA TYPE II; CLASS B
6" AGGREGATE BASE COURSE, GRADING D-1

UPPER SEGMENT TYPICAL SECTION

McGrath Road Typical
Sections 67
PAVEMENT DESIGN

Pavement design calculations for a 15-year design life were performed using the AFPD program and manual. Heavy vehicles consisted of 4.5% of total traffic volume with equivalent single-axle loads of 206,132. The pavement structure for the upper segment satisfies the requirements of the mechanistic design method and DOT&PF’s stabilized base policy.

The two proposed lower section pavement structures will consist of an insulated section and an un-insulated section dependent on subsurface conditions.

The insulated section will consist of:

- 2 inches of asphalt concrete
- 3 inches of Asphalt Treated Base (ATB)
- 8 inches of Subbase, Grading “F”
- 24 inches of Selected Material, Type “A”
- 8 inches of Subbase, Grading “F”
- 4 inches of insulation board
- Two 12 inch layers of Subbase Type “F” separated by Type 1 geotextile reinforcement fabric with Type 1 fabric placed at the excavation bottom

The un-insulated section will consist of:

- 2 inches of asphalt concrete
- 3 inches of ATB
- 8 inches of Subbase, Grading “F”
- 36 inches of Selected Material, Type “A”
- Two 12 inch layers of Subbase, Grading “F” separated by Type 1 geotextile reinforcement fabric with Type 1 fabric placed at the excavation bottom

Contingent of the granting of a stabilized base policy waiver, the upper segment section will consist of:

- 2 inches of asphalt concrete
- 6 inches of aggregate base course, grading D-1

PRELIMINARY BRIDGE LAYOUT

Not applicable. There are no bridges within the project limits.

RIGHT-OF-WAY REQUIREMENTS

The acquisition of minor additional right of way will be required from FNSB parcels TL-1322, TL-2429, TL-2412, TL-2410 and TL-2525.

Temporary Construction Permits will be obtained for driveway reconstruction as needed.
MAINTENANCE CONSIDERATIONS

McGrath Road is currently maintained by DOT&PF. Overall this project is anticipated to reduce maintenance costs. Maintenance will be affected by the following:

- Road reconstruction will reduce the patching/leveling efforts required to keep the surface drivable.
- Drainage improvement and slope flattening will help protect the embankment from water damage reducing maintenance effort.
- Construction of shoulders will reduce pavement spalling in the driving lanes reducing maintenance effort.
- Increased width will result in increased lane miles for snow plowing, however this added cost is anticipated to be balanced out by the improvements to the structural section and drainage, resulting in a net decrease in maintenance costs.
- Moving the primary entrance and removing the duplicate access point will result in fewer lane miles needing maintenance.

MATERIAL SOURCES

Material sources for this project will be contractor furnished; sufficient material in quantity and quality are available from private sources in the area.

UTILITY RELOCATION & COORDINATION

Multiple utilities cross and run longitudinally along much of the project. Utility conflicts requiring relocation or adjustment include:

- Relocation of multiple utility poles.
- Relocation of buried communication cable and relocation or adjustment of telephone pedestals.

New locations and elevations of utilities will be coordinated with the proposed roadway improvements. Utility relocations may require the creation of a public utility easement and temporary constructions easements.

No betterment of utilities is anticipated.

ACCESS CONTROL FEATURES

McGrath Road is not a controlled access facility. Common access is controlled by the driveway permit process.

PEDESTRIAN/BICYCLE (ADA) PROVISIONS

A separated pedestrian/bicycle facility is present from McGrath Road’s intersection with Farmers Loop Road to the intersection of Willow Grouse Road. The existing pedestrian facility
is being reconfigured to provide a consistent offset to improve maintainability and provide a more consistent user experience.

The shoulders of McGrath Road are being widened to varying degrees throughout the complete corridor.

In accordance with the Public Rights-of-Way Accessibility Guidelines (as directed by Section 5.1.1 of the Bike Book) the grade of the separated multi-use path will not exceed the general grade of the adjacent McGrath Road. The path is contained within the highway right-of-way.

SAFETY IMPROVEMENTS

Safety improvements include:
- Rehabilitation of the road will remove heave and frost damage which will improve the driving surface.
- A continuous wider shoulder will provide more area for pedestrians and bicyclists to safely utilize the road.
- Guardrail will be replaced with compliant barrier and end terminals.
- Removal of existing compound curves.
- Creating a consistent 5 foot separation between the path and roadway.
- Road foreslopes will be reconstructed removing several areas of significant over-steepening caused by ATV’s driving in the ditch between the roadway and multi-use path.
- Removal of the duplicate access point will remove a section of 11% grade leading into a substandard radius curve.

INTELLIGENT TRANSPORTATION SYSTEM FEATURES

Not applicable. There are no intelligent transportation system features within the project limits and none will be constructed.

DRAINAGE

The primary drainage pattern is southeast flowing off the hillside to the flats at its base and Isabella Creek which passes through Farmers Loop Road in culverts. Mean annual precipitation is 10.53 inches. The crowned roadway and separated multi-use path will shed water to both sides of the road and path, into ditches designed to convey the water down gradient through cross culverts and approach culverts. Poor functioning drainage in combination with foundation movement from geological and thermal processes has resulted in water being trapped in places on the ditch on the north side of the path embankment resulting in pooling. Drainage improvements include:
- Cleaning existing culverts
- Ditch reconditioning
- Culvert replacement
- Additional culvert installation
Post construction of drainage improvements, “Best Management Practices” (BMPs) will be implemented to reduce the potential for erosion of soil and other contaminants from storm water from entering waters of the United States. BMP’s will consist of:

- Permanent seeding

SOIL CONDITIONS

McGrath Road is located in the Yukon-Tanana Upland physiographic section of Alaska. The terrain consists of low mountains, plateaus and highland with summits from 1,000 to 5,000 feet above sea level.

McGrath Road generally consists of 0.1 to 1.0-feet of asphalt concrete over 3 feet of rounded alluvial fill mixed with sand and silt underlain by wind-blown loess with moisture content between 22 and 42%. Frozen soils were intercepted in several test holes.

McGrath Road multi-use path generally consists of 0.1 to 0.3- feet of asphalt concrete over 2 to 5 feet of well graded alluvial gravel with sand underlain by very loose loess. Groundwater was intercepted perched on seasonal frost and beneath the seasonal frost layers.

McGrath Road is located in the Continental Climatic Zone of Alaska. The climate is characterized by large daily and annual temperature variation, in addition to low precipitation, cloudiness and humidity.

The project area experiences an average of 13917 heating degree days and 58 cooling degree days for a 65 degree base temperature.

EROSION AND SEDIMENT CONTROL

The project will include an Erosion and Sediment Control Plan (ESCP). This plan will describe BMPs that may be used during construction and serve as a guide for SWPPP development.

The primary potential for erosion occurs where shoulders are widened, mailbox turnouts are constructed and new culverts installed. Embankment slopes will not be constructed steeper than 2:1. Slopes will be seeded to provide temporary and permanent erosion protection.

Perimeter control, inlet/outlet control at culverts, soil stabilization, construction scheduling and other measures as described in the ESCP will be used as appropriate to prevent or retain storm water runoff.

ENVIRONMENTAL COMMITMENTS

PERMITS- The following permits will be required:

- United States Army Corps of Engineers, section 404

WETLANDS- Mitigation for temporary and permanent impacts will be accomplished by in lieu fee payments.
There are no additional environmental commitments beyond compliance with permits and the contract for this project.

**WORK ZONE TRAFFIC CONTROL**

This project is not considered significant for traffic control per DOT&PF’s Policy and Procedure 05.05.015. Single lane through traffic will be maintained through the work zone, practical alternate routes will be maintained. Complete road closures are not anticipated.

**VALUE ENGINEERING**

This federally funded project does not meet the criteria for a Value Engineering (VE) analysis; McGrath Road is not a National Highway System route nor does the total cost exceed $50M.

**COST ESTIMATE**

The estimated costs for this project are as follows:

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<th>Item</th>
<th>Cost</th>
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<td>$709,541.00</td>
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<td>Utilities</td>
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<td>Right of Way</td>
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<tr>
<td>Construction</td>
<td>$5,600,000.00</td>
</tr>
<tr>
<td>(Includes 15% Engineering)</td>
<td></td>
</tr>
<tr>
<td><strong>Total Cost of Project</strong></td>
<td><strong>$7,059,541.00</strong></td>
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APPENDIX A

DESIGN CRITERIA
AND
DESIGN DESIGNATION
## Project Design Criteria

**Project Name:** McGrath Road Upgrade (Milepoint 0 to 1.073)  
**Project Number:** Z62838000/002300

<table>
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<tr>
<th>Functional Classification:</th>
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<tr>
<td>Design Year:</td>
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<tr>
<td>Design Year ADT:</td>
<td>811</td>
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<tr>
<td>DHV:</td>
<td>11.40%</td>
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<tr>
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<tr>
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<tr>
<td>Width of Travelled Way:</td>
<td>22-ft</td>
</tr>
<tr>
<td>Width of Shoulders:</td>
<td>Outside: 1-ft</td>
</tr>
<tr>
<td>Cross Slope:</td>
<td>2%</td>
</tr>
<tr>
<td>Superelevation Rate:</td>
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<td>Minimum Radius of Curvature:</td>
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<td>Maximum Allowable Grade:</td>
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<tr>
<td>Stopping Sight Distance:</td>
<td>250-ft</td>
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<tr>
<td>Lateral Offset to Obstruction:</td>
<td>1.5-ft</td>
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<tr>
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<td>18.35-ft existing minimum</td>
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<td>Bridge Width:</td>
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<td>Bridge Structural Capacity:</td>
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<tr>
<td>Passing Sight Distance:</td>
<td>550-ft</td>
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<td>Degree of Access Control:</td>
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<td>Illumination:</td>
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<td>Bicycle Provisions:</td>
<td>Lane/Shoulder</td>
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<tr>
<td>Pedestrian Provisions:</td>
<td>Lane/Shoulder</td>
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</tbody>
</table>

Shaded criteria are commonly referred to as the FSHA 13 controlling criteria. For NHS routes only, these criteria must meet the minimums established in the Green Book (AASHTO A Policy on Geometric Design of Highways and Streets). For all other routes, these criteria must meet the minimums established in the Alaska Highway Preconstruction Manual. Otherwise a Design Exception must be approved.

**Design Criteria marked with a "#" do not meet minimums and must have a Design Exception(s) and/or Design Waiver(s) approved. See the Design Study Report for Design Exception/Design Waiver approval(s) and approved design criteria values.**

---

Proposed - Designer/Consultant: [Signature]  
Date: 3/7/17

Endorsed - Engineering Manager: [Signature]  
Date: 3/7/2017

Approved - Preconstruction Engineer: [Signature]  
Date: 3/8/2017

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3/7/2017  
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74
ALASKA DOT&PF PRECONSTRUCTION MANUAL
Chapter 11 - Design
PROJECT DESIGN CRITERIA

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<th>McGrath Road Upgrade (Milpoint 1.073 to 2.867)</th>
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<tbody>
<tr>
<td>☑ New Construction/Reconstruction</td>
<td>☐ SR</td>
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<tr>
<td>☐ PM ☐ Other:</td>
<td>NHS ☐ Non NHS</td>
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<td>Project Number:</td>
<td>Z628380000/002300</td>
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<td>Design Vehicle:</td>
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</tr>
<tr>
<td>Design Speed:</td>
<td>35 mph</td>
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<tr>
<td>Width of Travelled Way:</td>
<td>22-ft</td>
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<tr>
<td>Width of Shoulders:</td>
<td>Outside: 3-ft inside: 0-ft</td>
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<tr>
<td>Cross Slope:</td>
<td>2%</td>
</tr>
<tr>
<td>Supererelevation Rate:</td>
<td>6% MAX</td>
</tr>
<tr>
<td>Minimum Radius of Curvature:</td>
<td>340-ft</td>
</tr>
<tr>
<td>Maximum Allowable Grade:</td>
<td>10%</td>
</tr>
<tr>
<td>Minimum Allowable Grade:</td>
<td>0.3%</td>
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<tr>
<td>Stopping Sight Distance:</td>
<td>250-ft</td>
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<tr>
<td>Lateral Offset to Obstruction:</td>
<td>1.5-ft</td>
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<tr>
<td>Vertical Clearance:</td>
<td>20' 6&quot; (utilities)</td>
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<td>Bridge Width:</td>
<td>N/A</td>
</tr>
<tr>
<td>Bridge Structural Capacity:</td>
<td>N/A</td>
</tr>
<tr>
<td>Passing Sight Distance:</td>
<td>550-ft</td>
</tr>
<tr>
<td>Surface Treatment:</td>
<td>T/W: Asphalt Shoulders: Asphalt</td>
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<tr>
<td>Degree of Access Control:</td>
<td>Driveway/Entrance regulations</td>
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<td>Median Treatment:</td>
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<td>Illumination:</td>
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<td>Curb Usage and Type:</td>
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<tr>
<td>Bicycle Provisions:</td>
<td>Separated path/Shoulder</td>
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<tr>
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<td>Separated path/Shoulder</td>
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<tr>
<td>Misc. Criteria:</td>
<td>None</td>
</tr>
</tbody>
</table>

Proposed - Designer/Consultant: [Signature]  Date: 3-7-17

Endorsed - Engineering Manager: [Signature]  Date: 3-7-2017

Approved - Preconstruction Engineer: [Signature]  Date: 3-8-2017

Shaded criteria are commonly referred to as the FHWA 13 controlling criteria. For NHS routes only, these criteria must meet the minimums established in the Green Book (AASHTO A Policy on Geometric Design of Highways and Streets). For all other routes, these criteria must meet the minimums established in the Alaska Highway Preconstruction Manual. Otherwise a Design Exception must be approved.

Design Criteria marked with a "#" do not meet minimums and must have a Design Exception(s) and/or Design Waiver(s) approved. See the Design Study Report for Design Exception/Design Waiver approval(s) and approved design criteria values.
### Station Name: McGrath Rd North of Frog Pond

#### Combined Data

|       | 0:00 | 1:00 | 2:00 | 3:00 | 4:00 | 5:00 | 6:00 | 7:00 | 8:00 | 9:00 | 10:00 | 11:00 | 12:00 | 13:00 | 14:00 | 15:00 | 16:00 | 17:00 | 18:00 | 19:00 | 20:00 | 21:00 | 22:00 | 23:00 | Total |
|-------|------|------|------|------|------|------|------|------|------|------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|
| Fri 23| 10   | 3    | 5    | 1    | 1    | 6    | 21   | 35   | 19   | 26   | 17    | 18    | 27    | 22    | 29    | 49    | 43    | 84    | 54    | 37    | 35    | 30    | 20    | 23    | 623   |
| Sat 24| 16   | 14   | 0    | 13   | 8    | 19   | 27   | 24   | 28   | 46   | 38    | 40    | 50    | 42    | 44    | 38    | 38    | 29    | 32    | 23    | 22    | 607   |
| Sun 25 | 8    | 7    | 1    | 5    | 7    | 9    | 11   | 21   | 39   | 34   | 38    | 50    | 58    | 35    | 42    | 48    | 62    | 47    | 42    | 33    | 30    | 17    | 7     | 658   |
| Mon 26 | 4    | 3    | 2    | 0    | 3    | 10   | 20   | 37   | 17   | 23   | 19    | 36    | 24    | 25    | 34    | 38    | 51    | 49    | 40    | 53    | 28    | 17    | 3     | 560   |
| Tue 27 | 3    | 2    | 6    | 1    | 9    | 9    | 18   | 31   | 20   | 30   | 33    | 22    | 29    | 24    | 23    | 29    | 40    | 53    | 53    | 43    | 40    | 26    | 9     | 6     | 559   |
| Wed 28 | 9    | 5    | 4    | 0    | 4    | 10   | 22   | 27   | 26   | 23   | 20    | 33    | 25    | 22    | 18    | 40    | 53    | 43    | 40    | 26    | 9     | 6     | 8     | 580   |
| Thu 29 | 6    | 1    | 3    | 3    | 7    | 16   | 34   | 22   | 29   | 22   | 28    | 24    | 26    | 37    | 46    | 46    | 67    | 34    | 41    | 36    | 20    | 18    | 8     | 577   |

#### Percentage

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<th>0.84%</th>
<th>0.79%</th>
<th>0.34%</th>
<th>0.65%</th>
<th>1.18%</th>
<th>2.86%</th>
<th>4.39%</th>
<th>3.63%</th>
<th>4.59%</th>
<th>4.15%</th>
<th>4.47%</th>
<th>5.69%</th>
<th>5.14%</th>
<th>4.97%</th>
<th>6.72%</th>
<th>7.18%</th>
<th>10.49%</th>
<th>7.85%</th>
<th>6.94%</th>
<th>6.41%</th>
<th>4.39%</th>
<th>3.15%</th>
<th>1.83%</th>
<th>100.00%</th>
</tr>
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</table>

#### Hour Totals

|       | 56    | 35    | 33    | 14    | 27    | 49    | 119   | 183   | 151   | 173   | 186   | 237   | 214   | 207   | 280   | 299   | 437   | 327   | 289   | 267   | 183   | 131   | 76    | 4164  |
MEMORANDUM

TO: Ryan F. Anderson, P.E., Preconstruction Engineer
    Northern Region

FROM: Judy Chapman
      Planning Chief
      Northern Region

DATE: December 16, 2013

FILE NO: I:\Traffic Data\DESIGN\2013\McGrath_62838.doc

TELEPHONE NO: 451-5150

SUBJECT: McGrath Rd Upgrade
          62838/0002300
          Design Designation

Please approve the attached updated design designation by signing the endorsement below which enables your staff to proceed.

Included in this package is raw volume data obtained from a special data request during the 2013 field season along McGrath Rd.

Any questions should be directed to Jennifer Anderson at 451-2257.

Ryan F. Anderson, P.E., Preconstruction Engineer

JCA/sgv

cc: Sarah Schacher, P.E., Engineering Manager, Northern Region
    Jennifer Anderson, Traffic Data Manager, Northern Region

Attachment

Please circulate and return to
Traffic Data & Forecasting Manager
Planning Manager (outside FNSB)
Planning Chief
Fairbanks Area Planner (FNSB)
Traffic & Safety
Any changes, additions, or questions, please write on this sheet
<table>
<thead>
<tr>
<th>YEAR</th>
<th>ADT</th>
<th>%</th>
</tr>
</thead>
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<tr>
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<td>2025</td>
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<tr>
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<tr>
<td>2045</td>
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<td></td>
</tr>
<tr>
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<td>D</td>
<td>40-60</td>
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<tr>
<td></td>
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<td>Class 6</td>
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<tr>
<td></td>
<td>ESAL'S</td>
<td>To Be Provided</td>
</tr>
<tr>
<td></td>
<td>(Design Lane)</td>
<td>by Design</td>
</tr>
</tbody>
</table>
MEMORANDUM

TO:  Judy Chapman
     Planning Chief
     Northern Region

THRU:  Ryan F. Anderson, P.E.
       Preconstruction Engineer
       Northern Region

FROM:  Sarah Schacher, P.E.
        Engineering Manager
        Northern Region

State of Alaska
Department of Transportation & Public Facilities
Northern Region Design and Engineering Services

DATE:  November 20, 2013

FILE NO:  V:\Hwy\82939\00\PS&E\EG38IR\DesignDesignationMemo 11 20 13

PHONE NO:  907-451-5129
FAX NO:  907-451-5126

SUBJECT:  McGrath Road Upgrade
           62838/0002300
           Design Designation Request

Please provide a Design Designation for the subject project.

☐ Present AADT
☐ Design Year AADT (2045)
☐ Mid-Design Period AADT (2025)
☐ Design Hourly Volume
☐ Directional Split
☐ Percent Trucks
☐ Design Functional Classification
☐ Intersection Turning Movement Counts at:
☐ Other (Specify)

The project is scheduled for construction in 2018.

Please complete the attached Traffic Data Request Form.

Attachment:  as stated

"Keep Alaska Moving through safe and Infrastructure."
# Traffic Data Request Form

Alaska Department of Transportation & Public Facilities

<table>
<thead>
<tr>
<th>Requested By:</th>
<th>Design Project Number:</th>
<th>Date Requested:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sarah Schaefer</td>
<td>62838</td>
<td>11/10/13</td>
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<table>
<thead>
<tr>
<th>Base Year:</th>
<th>2012</th>
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<tbody>
<tr>
<td>Base Year Total AADT:</td>
<td>2150</td>
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</tbody>
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<table>
<thead>
<tr>
<th>AADT Growth Rate</th>
<th>Common Route Name:</th>
<th>Functional Class:</th>
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<tbody>
<tr>
<td>Forward (%/yr):</td>
<td>McGroath Rd</td>
<td>Collector</td>
</tr>
<tr>
<td>End Year:</td>
<td>2045</td>
<td></td>
</tr>
<tr>
<td>Back Cast (%/yr):</td>
<td>Begin Year:</td>
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<table>
<thead>
<tr>
<th>Truck Category</th>
<th>Load Factor (ESALs per Truck)</th>
<th>% of Total AADT in Truck Category</th>
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<tbody>
<tr>
<td>2-axle</td>
<td>50</td>
<td></td>
</tr>
<tr>
<td>3-axle</td>
<td>30</td>
<td></td>
</tr>
<tr>
<td>4-axle</td>
<td>20</td>
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<td>10</td>
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<tr>
<td>≥ 6-axle</td>
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Percent of Base Year Total AADT for Each Numbered Lane in Configuration Sketch:

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<tr>
<td>Lane #2</td>
<td>50</td>
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<tr>
<td>Lane #5</td>
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</tr>
<tr>
<td>Lane #6</td>
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</table>

Lane Configuration Sketch:
(Designer: Provide sketch of lane layout. Number each lane and show directions.)

Comments:

Data Provided By: Scott Vackeaski

Provider's Signature: [Signature]

Date Provided: 11/9/13

---

Figure 6-1. Traffic Data Request (TDR) Form
## Highway Log Report

**CDS Route:** 151400 McGrath Road * Fbks NS8 (Internal Dup # 0)

**Milepoint:** 0.000 to 2.867

**General Direction:** Southwest

### Features Selected:
- ✅ Cross Streets
- 🚗 Mileposts
- 🚒 Bridges/Culverts
- ⛽ Railroad Crossings
- 🏡 Buildings/Landmarks

### Attributes Selected

<table>
<thead>
<tr>
<th>Milepoint</th>
<th>Side</th>
<th>Feature CDS</th>
<th>Feature</th>
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<tr>
<td>0.000</td>
<td>Left</td>
<td>150105</td>
<td>Old Steese @ Fox</td>
</tr>
<tr>
<td>0.000</td>
<td>Right</td>
<td>150106</td>
<td>Old Steese @ Fox</td>
</tr>
<tr>
<td>0.145</td>
<td>Left</td>
<td>151450</td>
<td>McGrath Road Wye</td>
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<tr>
<td>0.145</td>
<td>Right</td>
<td>-</td>
<td>Broadview Drive</td>
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<tr>
<td>0.326</td>
<td>Right</td>
<td>-</td>
<td>Sunrise Drive</td>
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<tr>
<td>0.643</td>
<td>Left</td>
<td>-</td>
<td>Kristin Drive</td>
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<tr>
<td>1.073</td>
<td>Left</td>
<td>-</td>
<td>Frog Pond Circle</td>
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<tr>
<td>1.073</td>
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<td>-</td>
<td>Willow Gousse Road</td>
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<td>-</td>
<td>McGrath Rd Baptist Church</td>
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<td>-</td>
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<td>1.598</td>
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<td>-</td>
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<td>1.762</td>
<td>Left</td>
<td>-</td>
<td>Teresa Turn Around</td>
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<td>Rambling Road</td>
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<td>Wildwood Mhp Ent</td>
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<td>Town &amp; Country Mhp Ent</td>
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<td>-</td>
<td>Village Mhp Ent</td>
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<td>150200</td>
<td>Farmers Loop</td>
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<tr>
<td>2.867</td>
<td>-</td>
<td>150200</td>
<td>Farmers Loop</td>
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</table>

December 09, 2013

http://www.dot.state.ak.us/hdpapp/download/RouteLog.html?jobId=10574

12/9/2013
### ALASKA DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES

**SUMMARY DATA - ADT**

**STATION ID:** 30521000 **ROUTE:** 151400 **MILEPOINT:** 2.763

**MCGRATH ROAD NORTH OF FARMERS LOOP ROAD**

**YEAR** | **AADT** | **MON** | **TUE** | **WED** | **THR** | **FRI** | **SAT** | **SUN**
---|---|---|---|---|---|---|---|---
2001 | 2146 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00
2003 | 2445 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00
2004 | 2081 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00
2005 | 1947 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00
2006 | 2013 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00
2007 | 2407 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00
2008 | 2266 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00
2009 | 2330 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00
2010 | 2379 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00
2011 | 2081 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00
2012 | 2135 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00
0 | 0 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00

**PF1 - INQUIRY** | **PF2 - HELP** | **PF3 - QUIT** | **PF4 - TDS MENU**
---|---|---|---
**PF5 - SELECTION** | **PF10 - NEXT STATION**

---

82
### Summary Data - ADT

**Station ID:** 30520000  **Route:** 151400  **Milepoint:** 0.250

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<th>TUE</th>
<th>WED</th>
<th>THR</th>
<th>FRI</th>
<th>SAT</th>
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<td>0.00</td>
<td>0.00</td>
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</tbody>
</table>

**Notes:**
- PF1: Inquiry
- PF5: Selection
- PF10: Next Station
- PF2: Help
- PF3: Quit
- PF4: TDS Menu
|       | 0:00 | 1:00 | 2:00 | 3:00 | 4:00 | 5:00 | 6:00 | 7:00 | 8:00 | 9:00 | 10:00 | 11:00 | 12:00 | 13:00 | 14:00 | 15:00 | 16:00 | 17:00 | 18:00 | 19:00 | 20:00 | 21:00 | 22:00 | 23:00 | Total |
|-------|------|------|------|------|------|------|------|------|------|------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|
| Fri 30| 11   | 8    | 3    | 4    | 2    | 21   | 59   | 100  | 98   | 47   | 37    | 54    | 46    | 52    | 51    | 48    | 50    | 68    | 53    | 52    | 45    | 26    | 18    | 12    | 965   |
| Sat 31| 10   | 7    | 4    | 4    | 9    | 3    | 13   | 22   | 36   | 55   | 48    | 59    | 44    | 60    | 67    | 45    | 38    | 55    | 34    | 29    | 36    | 20    | 25    | 766   |
| Sun 1 | 13   | 10   | 5    | 8    | 5    | 9    | 15   | 26   | 51   | 59   | 56    | 53    | 35    | 50    | 50    | 47    | 50    | 38    | 46    | 54    | 24    | 19    | 6    | 717   |
| Mon 2 | 13   | 7    | 7    | 3    | 6    | 6    | 14   | 25   | 22   | 30   | 47    | 40    | 40    | 33    | 42    | 35    | 54    | 39    | 23    | 36    | 26    | 19    | 15    | 649   |
| Tue 3 | 11   | 4    | 5    | 1    | 8    | 22   | 56   | 116  | 70   | 52   | 38    | 38    | 41    | 38    | 47    | 45    | 51    | 53    | 64    | 36    | 29    | 22    | 8    | 13    | 878   |
| Wed 4 | 8    | 2    | 4    | 5    | 6    | 20   | 57   | 123  | 80   | 49   | 46    | 38    | 41    | 51    | 55    | 59    | 59    | 56    | 55    | 38    | 41    | 18    | 23    | 7    | 931   |
| Thu 5 | 8    | 3    | 4    | 6    | 3    | 19   | 58   | 128  | 78   | 49   | 38    | 52    | 45    | 51    | 47    | 54    | 51    | 52    | 44    | 41    | 28    | 26    | 10    | 13    | 908   |

**Percentage:** 1.27% 0.71% 0.53% 0.53% 0.67% 1.70% 4.58% 9.10% 7.05% 5.73% 5.38% 5.80% 5.45% 5.62% 5.95% 6.28% 5.81% 6.38% 5.99% 4.64% 4.33% 3.06% 1.84% 1.57% 100.00%

**Hour Total:** 74 41 32 31 39 99 266 529 410 333 313 377 317 327 346 365 338 371 348 270 252 178 107 91 5814

---

**Station Name:** McGrath @ Howland Rd Southbound
**Site ID:** 300002005100
**Start Date/Time:** 08-01-2013 00:00
**End Date/Time:** 09-05-2013 23:59

|       | 0:00 | 1:00 | 2:00 | 3:00 | 4:00 | 5:00 | 6:00 | 7:00 | 8:00 | 9:00 | 10:00 | 11:00 | 12:00 | 13:00 | 14:00 | 15:00 | 16:00 | 17:00 | 18:00 | 19:00 | 20:00 | 21:00 | 22:00 | 23:00 | Total |
|-------|------|------|------|------|------|------|------|------|------|------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|
| Fri 30| 17   | 6    | 3    | 4    | 1    | 4    | 22   | 27   | 35   | 16   | 32    | 32    | 49    | 54    | 53    | 75    | 72    | 99    | 94    | 62    | 45    | 45    | 30    | 20    | 897   |
| Sat 31| 12   | 14   | 5    | 2    | 6    | 0    | 5    | 8    | 25   | 39    | 36    | 48    | 55    | 34    | 64    | 57    | 68    | 54    | 56    | 44    | 42    | 35    | 25    | 768   |
| Sun 1 | 13   | 11   | 3    | 7    | 3    | 4    | 3    | 5    | 13    | 37    | 30    | 33    | 50    | 44    | 47    | 51    | 48    | 68    | 54    | 41    | 45    | 30    | 30    | 13    | 680   |
| Mon 2 | 8    | 8    | 11   | 3    | 4    | 3    | 9    | 13   | 11    | 10    | 27    | 33    | 48    | 62    | 50    | 48    | 64    | 59    | 31    | 49    | 27    | 25    | 21    | 657   |
| Tue 3 | 13   | 5    | 3    | 2    | 0    | 4    | 11   | 21   | 28   | 21    | 30    | 39    | 49    | 37    | 57    | 65    | 82    | 122   | 99    | 54    | 45    | 45    | 17    | 11    | 860   |
| Wed 4 | 11   | 5    | 6    | 5    | 3    | 5    | 7    | 21   | 34   | 29    | 25    | 18    | 35    | 42    | 50    | 70    | 91    | 139   | 103   | 58    | 60    | 41    | 30    | 14    | 912   |
| Thu 5 | 11   | 8    | 9    | 1    | 4    | 3    | 8    | 17   | 28   | 15    | 30    | 51    | 37    | 39    | 43    | 69    | 90    | 108   | 88    | 64    | 48    | 60    | 22    | 15    | 872   |

**Percentage:** 1.51% 1.01% 0.66% 0.43% 0.37% 0.41% 1.15% 1.98% 2.92% 2.76% 3.77% 4.46% 5.35% 5.65% 6.48% 7.85% 8.64% 11.83% 9.71% 6.48% 5.95% 5.14% 3.35% 2.11% 100.00%

**Hour Total:** 85 57 37 24 21 23 65 112 165 157 213 252 302 319 366 444 488 668 548 366 336 290 189 119 5646
Station Name: McGrath Rd Nth of Frog Pond
Site ID: 300001009200
Start Date/Time: 08-01-2013 00:00
End Date/Time: 08-31-2013 23:59

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<th>Sat 24 All Lanes</th>
<th>Sun 25 All Lanes</th>
<th>Mon 26 All Lanes</th>
<th>Tue 27 All Lanes</th>
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Total

Percentages: 1.34% 0.84% 0.79% 0.34% 0.65% 1.18% 2.88% 4.39% 3.63% 4.58% 4.15% 4.47% 5.69% 5.14% 4.97% 6.72% 7.18% 10.49% 7.85% 6.94% 6.41% 4.39% 3.15% 1.83% 100.00%

Hour Totals: 56 35 33 14 27 49 119 183 151 191 173 186 237 214 207 280 299 467 327 289 267 183 131 76 4164
### Computation

For: McGeech Rd Designation

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ADT from short term count on McGeech N of Farmers Loop Rd.

1.25% growth rate used

**13 yr factor: 1.17**
**33 yr factor: 1.51**

DIV: 1.4%

2025: 240
2035: 370

Directional Split: 60-40

% Trucks 4% Class count from Skyline Rd used as base

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APPENDIX B

ENVIRONMENTAL DOCUMENT
(only include the signature page of the FONSI or ROD)
VII. Environmental Documentation Approval

3. For 6004 projects: The project meets the criteria of the DOT&PF Programmatic Approval 2 authorized in the November 6, 2012 “CE Directive – Delegation of Approval Authority for Certain CE for Certain CE under 6004 MOU”. If yes, the CE may be approved by the Regional Environmental. If no, the CE may be approved by a Statewide NEPA Manager.

4. For non-assigned projects: The project meets the criteria of the April 13, 2012 “Programmatic Categorical Exclusion for Use on Federal-Aid Highway Projects in Alaska” between FHWA and DOT&PF. If yes, the CE may be approved by the Regional Environmental Manager. If no, the CE may be approved by FHWA Area Engineer.

VIII. Environmental Documentation Approval Signatures

Prepared by: [Signature] Environmental Impact Analyst

[Print Name] Environmental Impact Analyst

Reviewed by: [Signature] Engineering Manager

[Print Name] Engineering Manager

Approved by: [Signature] Regional Environmental Manager

[Print Name] Regional Environmental Manager

Assigned CE

Approved by: [Signature] DOT&PF Statewide NEPA Manager

[Print Name] DOT&PF Statewide NEPA Manager

Non-Assigned CE

Approved by: [Signature] FHWA Area Engineer

[Print Name] FHWA Area Engineer
### Project: McGrath Road
### Proj No.: 92,338

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<th>Critical Compressive Stress (psi)</th>
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APPENDIX D

PRELIMINARY PLAN AND PROFILE SHEETS
APPENDIX E

DESIGN EXCEPTIONS AND DESIGN WAIVERS
ALASKA DOT&PF PRECONSTRUCTION
DESIGN EXCEPTION/DESIGN WAIVER FORM

Type of Request: (select one or both)

☒ Design Exception (FHWA controlling design criteria only)
☐ Design Waiver (all other design criteria)

PROJECT INFORMATION:

Project Name: McGrath Road Upgrade
Project Number: Z628380000/002300
☐ NHS ☒ Non NHS

Functional Classification: Urban Major Collector
Design Year: 2040
Present ADT: 595 vpd
Design Year ADT: 811 vpd
Mid Design Period ADT: 717 vpd
DHV: 11.4%
Directional Split: 60-40
Percent Trucks: 4
Equivalent Axle Loading: 74,850
Pavement Design Year: 2033
Design Vehicle: WB-40
Terrain: Mountainous
Number of Roadways: 1
*Design Speed: 35
Posted Speed: 35
Operational Speed: 35

* If requesting a design exception for design speed, use the recommended not reduced design speed here. Further, any design which uses a design speed below the posted or regulatory speed limit should not be approved (Source: FHWA Supplement, Section 8.,b. Application of Design Standards, Uniform Federal Accessibility Standards, and Bridges located here: http://www.fhwa.dot.gov/design/0625sup.cfm ). FHWA also recommends evaluating specific geometric element(s) and treating those as design exceptions instead of design speed.
PROJECT INFORMATION:

It is required that a location map, as a minimum, be provided with your package. It is highly recommended that other exhibits be provided to support your request. Exhibits may include typical sections, geometric details, correspondence from other sections, agency correspondence, etc.

1. **Design Exception requested for the following design criteria. Mark the criteria to be discussed:**

- [ ] Design Speed
- [ ] Lane Width
- [ ] Shoulder Width
- [ ] Cross Slope
- [ ] Superelevation Rate
- [X] Horizontal Alignment (minimum radius of curvature)
- [ ] Vertical Alignment (minimum sag and/or crest K values)
- [ ] Grade (minimum and/or maximum allowable grades)
- [ ] Stopping Sight Distance
- [ ] Lateral Offset to Obstruction
- [ ] Vertical Clearance
- [ ] Bridge Width
- [ ] Bridge Structural Capacity

These 13 design criteria are commonly referred to as the *FHWA 13 controlling criteria*. For NHS routes only, these criteria must meet the minimums established in the Green Book (*AASHTO A Policy on Geometric Design of Highways and Streets*). For all other routes, these criteria must meet the minimums established in the *Alaska Highway Preconstruction Manual*. Otherwise a Design Exception must be approved.

**Design Waiver requested for the following design criteria.**

- [ ] Other

**Explain:**

Design Waivers are required for any design criteria, other than the *FHWA 13 controlling criteria*, which do not meet the minimums established in the *Alaska Highway Preconstruction Manual*.

2. **Provide a synopsis of the project scope (including purpose and need), the situation you are encountering, and the problem you are attempting to mitigate.**
This project will upgrade McGrath Road between Farmers Loop Road and the Old Steese Highway. Improvements for this portion of the project will include a consistent roadway and shoulder width and removal or minimization of compound curve severity where feasible. The project was initiated to reduce maintenance costs through improved pavement structure and improve safety where possible for bicycles and pedestrians. The existing road is narrow with no shoulder. There is an existing separated bicycle/pedestrian path along the southern portion of the corridor. The northern section has substantially less traffic volume due to decreased residential development. The pavement is worn and past its useful service life.

The northern portion of McGrath Road has sub-standard vertical and horizontal curves currently. Upgrading these deficiencies to new construction standards would result in significant impacts including probable relocation of property owners adjacent to the road.

3. **Provide a concise written description of the proposed Design Exception(s)/Design Waiver(s).** It is required to be specific in stating which design standard(s) is being requested to be excepted or waived and the location (either the entire project length or a station range). State the standard and proposed values of the design criteria exception/waiver citing AASHTO, Department, or other standards. Include the date of the design standard references cited. Whenever possible, reference AASHTO guidelines to support your design decisions.

A horizontal alignment design exception is proposed between station 105+00 and the EOP at the intersection with the Old Steese Highway. The AASHTO curve minimum radius for 6% superelevation rate is 340 feet. A design exception for a minimum radius of 80 feet is requested. The existing as-built best fit alignment contains a double compound curve with a 44 foot radius, this curve will be redesigned from a double compound curve to a curve with a minimum radius of 80 feet. There are three horizontal curves within the station range that have less than design minimum radius curves. These curves are located around Sta. 126+50, 150+00, 162+50. The current design proposes to generally maintain the existing alignment for this portion of the project.

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<tr>
<th>Proposed Design Exceptions/Design Waivers Summary</th>
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<table>
<thead>
<tr>
<th>Criteria</th>
<th>Standard¹</th>
<th>Proposed</th>
<th>Location (entire project or station range)</th>
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<td>PI Sta. 150+00</td>
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<td>Curve min radius 80-ft</td>
<td>PI Sta. 162+50</td>
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</table>

¹AASHTO, 2011 A Policy on Geometric Design of Highways and Streets
4. **Discuss the terrain in the area of the project and the proposed Design Exception(s)/Design Waiver(s).**

The terrain in the project area varies from rolling to mountainous. The terrain in the area of the proposed design exceptions is mountainous. These design exceptions are dependent on terrain as the roadway in this section is primarily a hillside cut with very limited existing right of way. See attached typical section for a graphic representation of these conditions.

5. **Discuss the traffic characteristics in the area of the project and the proposed Design Exception(s)/Design Waiver(s).**

Traffic in the area is a mix of commercial and local commuters. Design features for this project are based on a 35 mph design speed.

6. **Discuss the crash history of the project and the proposed Design Exception(s)/Design Waiver(s). State if any anomalies are present within the project limits.**

From 2006 to 2010 a total of 2 crashes occurred within the area of the proposed design exceptions. These crashes consisted of one ditch and one run off the road. The crashes consisted of one property damage only and one minor injury. Unsafe speed is listed as a factor in both crashes and it does not appear that roadway geometry contributed. The crash rate is 1.73 crashes per million vehicle miles traveled. By comparison, the crash rate for the southern portion of McGrath Road, where alignment geometry meets new construction standards, is 2.16 crashes per million vehicle miles traveled. There do not appear to be any anomalies present within the project limits.

7. **Discuss the degree to which a standard is being reduced, whether the exception/waiver will affect other standards, and are there any additional features being introduced, e.g., signing or delineation that would mitigate the deviation and the proposed Design Exception(s)/Design Waiver(s). Also, discuss if multiple Design Exceptions/Waivers are being requested in the same segment and if they will influence each other.**

The standard minimum radius for 6% superelevation with a 35 mph design speed is 340 feet. The northern portion of McGrath Road currently is substandard for horizontal alignment, and the proposed project will be an improvement over the existing geometry even with the proposed design exceptions. The design exceptions proposed are to best match the existing geometry where constrained by right-of-way and will not result in an inconsistent driving experience for this local collector.

The curve at PI Sta. 126+50 will be constructed with a radius of 280 feet which will allow roadway geometry improvement over the existing reverse curve into a 3 radius compound curve containing a 120 foot minimum radius while still remaining within the existing right of way.
The proposed minimum radius for PI Sta. 150+00 is 80 feet as part of an existing compound curve. The existing curve is a 3 radius compound curve with a minimum radius of 44-ft. The curve will be simplified to a curve with a minimum radius of 85-ft.

The current intersection of the Old Steese and McGrath Road has a 52 degree approach angle. In accordance with AASHTO intersection design guidance construction of an 80 foot radius curve (PI Sta. 162+50) will allow realignment of the approach to an 87 degree approach angle with no right-of-way impacts. This curve is in an approach to a stop condition. A stop ahead sign in addition to curve warning signs will be evaluated for warrants during detailed design.

Curve warning signs will be installed throughout the project to warn drivers of the reduced standards and bring the road corridor into compliance with current MUTCD signing standards.

8. Explain why the proposed Design Exception(s)/Design Waiver(s) is needed. (Provide supporting information as to why the minimum design criteria cannot be met. Substantiate reasons with facts, historical data, cost estimates, etc.)

The proposed design exceptions are needed to prevent the project excavation limits from extending beyond the existing right-of-way and onto approximately 22 private landowners. Right-of-way impacts associated with a major realignment necessary to meet new construction standards range from minor strip acquisitions to probable complete relocation of adjacent landowners. See the attached documents for a “test” realignment that features 340 foot minimum radius curves and the resultant catch lines and a spreadsheet itemizing additional project costs associated with construction of an alignment with no design exceptions.

9. Discuss the cost of the project and the proposed Design Exception(s)/Design Waiver(s). Provide information that reflects the cost with and without the Design Exception(s)/Design Waiver(s). Attach detailed cost estimates.

Meeting minimum design criteria would increase project costs by approximately $940,000 not including the cost of property necessary for the new right-of-way. These additional project costs also do not account for any costs associated with project delays caused by the need for significant additional right-of-way and property boundary survey necessitated by roadway realignment.
<table>
<thead>
<tr>
<th></th>
<th>To Standards</th>
<th>With approved Design Exceptions/Design Waivers</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>$8,536,137.00</td>
<td>$5,600,000.00</td>
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</tbody>
</table>

Proposed Designer/Consultant: [Signature] Date: 3-7-2017

Endorsed Engineering Manager: [Signature] Date: 3-7-2017

Approved Preconstruction Engineer: [Signature] Date: 3-8-2017

Concur – FHWA: [Signature] Date: __________

*FHWA concurrence required for high profile projects only.*
### Project Cost With Design Exception

<table>
<thead>
<tr>
<th>ITEM</th>
<th>DESCRIPTION</th>
<th>UNIT</th>
<th>QUANTITY</th>
<th>PRICE</th>
<th>TOTAL</th>
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<tbody>
<tr>
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<td>301(1)</td>
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<td>82</td>
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Total Project Cost W/ Contingency, CE, and ICAP: $5,600,000.00

### Project Cost Without Design Exception

<table>
<thead>
<tr>
<th>ITEM</th>
<th>DESCRIPTION</th>
<th>UNIT</th>
<th>QUANTITY</th>
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<th>TOTAL</th>
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<td>$280,000.00</td>
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</tbody>
</table>

Total Project Cost W/ Contingency, CE, and ICAP: $6,536,137.50
RE: HP2017-005 McGrath Road Upgrade

Dear Property Owner:

The Fairbanks North Star Borough Planning Commission will hold a public hearing Tuesday, July 18th, 2017, at 6:30 p.m. or after in the Juanita Helms Administrative Center, Assembly Chambers, 907 Terminal Street, Fairbanks, Alaska on the following item:

HP2017-005: McGrath Road Upgrade – A request by the Department of Transportation and Public Facilities for local planning authority approval of the McGrath Road Upgrade project. This project proposes to upgrade approximately 2.9 miles of McGrath Road from Farmer’s Loop Road to the Old Steese Highway with new surface and safety improvements like widened shoulders and guard rail improvements. The project is anticipated to require right-of-way acquisition.

This hearing is to ensure consistency between the transportation project and the FNSB Regional Comprehensive Plan. You are encouraged to speak at this public hearing and/or submit written comments. Testimony is limited to three minutes per person at the public hearing. Written comments should be submitted prior to the meeting using the space below, or email your comments to planning@fnsb.us referring to request HP2017-005. Contact Donald Galligan at 459-1272 if you have questions. The staff recommendation on this request can be found at www.fnsb.us/Boards/Pages/Planning-Commission.aspx five days before the hearing.

Christine Nelson, Director
Department of Community Planning

Property Owner: Patrick G. Young, Betty L. Young

Legal description of property owned: Tract 3 Hillside Acres – Parcel Account #0236438

Comments: In favor of McGrath Road Upgrade. It is long past due.

The Fairbanks North Star Borough is subject to the Alaska Public Records Act, AS 40.25 et seq. and this document may be subject to public disclosure under state law.
RE: HP2017-005 McGrath Road Upgrade

Dear Property Owner:

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HP2017-005: McGrath Road Upgrade – A request by the Department of Transportation and Public Facilities for local planning authority approval of the McGrath Road Upgrade project. This project proposes to upgrade approximately 2.9 miles of McGrath Road from Farmer's Loop Road to the Old Steese Highway with new surface and safety improvements like widened shoulders and guard rail improvements. The project is anticipated to require right-of-way acquisition.

This hearing is to ensure consistency between the transportation project and the FNSB Regional Comprehensive Plan. You are encouraged to speak at this public hearing and/or submit written comments. Testimony is limited to three minutes per person at the public hearing. Written comments should be submitted prior to the meeting using the space below, or email your comments to planning@fnsb.us referring to request HP2017-005. Contact Donald Galigan at 459-1272 if you have questions. The staff recommendation on this request can be found at www.fnsb.us/Boards/Pages/Planning-Commission.aspx five days before the hearing.

Christine Nelson, Director
Department of Community Planning

Property Owner: JOSEPH C KURBER, REBECA L H KURBER, 118 MT. VIEW DR.

Legal description of property owned:
Lot, Block and Subdivision: SUNNY HILLS TERR 05 01A-1 (0654102)
Comments: I wholeheartedly support this effort, as does my wife. McGrath is a very dangerous road, especially w/ all the bikers/joggers/pedestrians. Also, the intersection w/ Old Steese would greatly benefit from the proposed change by improving visibility and reducing confusion. Please consider a bike path along the entire length of McGrath, although I know there are ROW issues.
RE: HP2017-005 McGrath Road Upgrade

Dear Property Owner:

The Fairbanks North Star Borough Planning Commission will hold a public hearing Tuesday, July 18th, 2017, at 6:30 p.m. or after in the Juanita Helms Administrative Center, Assembly Chambers, 907 Terminal Street, Fairbanks, Alaska on the following item:

HP2017-005: McGrath Road Upgrade – A request by the Department of Transportation and Public Facilities for local planning authority approval of the McGrath Road Upgrade project. This project proposes to upgrade approximately 2.9 miles of McGrath Road from Farmer’s Loop Road to the Old Steese Highway with new surface and safety improvements like widened shoulders and guard rail improvements. The project is anticipated to require right-of-way acquisition.

This hearing is to ensure consistency between the transportation project and the FNSB Regional Comprehensive Plan. You are encouraged to speak at this public hearing and/or submit written comments. Testimony is limited to three minutes per person at the public hearing. Written comments should be submitted prior to the meeting using the space below, or email your comments to planning@fnsb.us referring to request HP2017-005. Contact Donald Galligan at 459-1272 if you have questions. The staff recommendation on this request can be found at www.fnsb.us/Boards/Pages/Planning-Commission.aspx five days before the hearing.

Christine Nelson, Director
Department of Community Planning

Property Owner: Clemens M. and Connie J. Clooten

Legal description of property owned:
Lot 6, Lowell #1 out of TL 2414 Sec 24 T1N R1W

Comments: We wholeheartedly approve this proposal to make McGrath Road safer for all users. Thank you!

The Fairbanks North Star Borough is subject to the Alaska Public Records Act, AS 40.25 et seq, and this document may be subject to public disclosure under state law.
RE: HP2017-005 McGrath Road Upgrade

Dear Property Owner:

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HP2017-005: McGrath Road Upgrade – A request by the Department of Transportation and Public Facilities for local planning authority approval of the McGrath Road Upgrade project. This project proposes to upgrade approximately 2.9 miles of McGrath Road from Farmer’s Loop Road to the Old Steese Highway with new surface and safety improvements like widened shoulders and guard rail improvements. The project is anticipated to require right-of-way acquisition.

This hearing is to ensure consistency between the transportation project and the FNSB Regional Comprehensive Plan. You are encouraged to speak at this public hearing and/or submit written comments. Testimony is limited to three minutes per person at the public hearing. Written comments should be submitted prior to the meeting using the space below, or email your comments to planning@fnsb.us referring to request HP2017-005. Contact Donald Galligan at 459-1272 if you have questions. The staff recommendation on this request can be found at www.fnsb.us/Boards/Pages/Planning-Commission.aspx five days before the hearing.

Christine Nelson, Director
Department of Community Planning

Property Owner: ____________________________________________

Legal description of property owned:
Lot, Block and Subdivision: ________________________________

Comments: ___ OVERDUE FOR A MAJOR UPGRADE ___

The Fairbanks North Star Borough is subject to the Alaska Public Records Act, AS 40.25 et seq, and this document may be subject to public disclosure under state law.
RE: HP2017-005 McGrath Road Upgrade

Dear Property Owner:

The Fairbanks North Star Borough Planning Commission will hold a public hearing Tuesday, July 18th, 2017, at 6:30 p.m. or after in the Juanita Helms Administrative Center, Assembly Chambers, 907 Terminal Street, Fairbanks, Alaska on the following item:

**HP2017-005:** McGrath Road Upgrade – A request by the Department of Transportation and Public Facilities for local planning authority approval of the McGrath Road Upgrade project. This project proposes to upgrade approximately 2.9 miles of McGrath Road from Farmer’s Loop Road to the Old Steese Highway with new surface and safety improvements like widened shoulders and guard rail improvements. The project is anticipated to require right-of-way acquisition.

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Christine Nelson, Director
Department of Community Planning

Property Owner: **MICHAEL MCGILL**

Legal description of property owned:
Lot, Block and Subdivision: Lot 15 Block B Sun Valley Estates 1st Addition

Comments: I’m excited to see this go forward. I have lived here since ’83 and had more close calls than I care to think of because of no shoulders, narrow lanes, and steep banks.

The Fairbanks North Star Borough is subject to the Alaska Public Records Act, AS 40.25 et seq, and this document may be subject to public disclosure under state law.
RE: HP2017-005 McGrath Road Upgrade

Dear Property Owner:

The Fairbanks North Star Borough Planning Commission will hold a public hearing Tuesday, July 18th, 2017, at 6:30 p.m. or after in the Juanita Helms Administrative Center, Assembly Chambers, 907 Terminal Street, Fairbanks, Alaska on the following item:

HP2017-005: McGrath Road Upgrade — A request by the Department of Transportation and Public Facilities for local planning authority approval of the McGrath Road Upgrade project. This project proposes to upgrade approximately 2.9 miles of McGrath Road from Farmer’s Loop Road to the Old Steese Highway with new surface and safety improvements like widened shoulders and guard rail improvements. The project is anticipated to require right-of-way acquisition.

This hearing is to ensure consistency between the transportation project and the FNSB Regional Comprehensive Plan. You are encouraged to speak at this public hearing and/or submit written comments. Testimony is limited to three minutes per person at the public hearing. Written comments should be submitted prior to the meeting using the space below, or email your comments to planning@fnsb.us referring to request HP2017-005. Contact Donald Galligan at 459-1272 if you have questions. The staff recommendation on this request can be found at www.fnsb.us/Boards/Pages/Planning-Commission.aspx five days before the hearing.

Christine Nelson, Director
Department of Community Planning

Property Owner: Bruce + Jaye Bellewidge

Legal description of property owned: 401A Martin Dr. McGrath Rd.

Comments: We are absolutely in favor of this project

The Fairbanks North Star Borough is subject to the Alaska Public Records Act, AS 40.25 et seq. and this document may be subject to public disclosure under state law.
Donald Galligan

From: Mary Bork
Sent: Tuesday, June 27, 2017 7:23 AM
To: Donald Galligan
Cc: Nicole Nordstrand; Kellen Spillman
Subject: FW: HP2017-005

Don,

Find below a comment concerning HP2017-005 for the Planning Commission public hearing of July 18th.

Thank you,

Mary Bork, Admin. Asst. IV
FNSB Dept. of Community Planning
mabork@fnsb.us
907-459-1259

Sir/Ma'am--

Re: McGrath Road changes.

I am tentatively opposed to the closure of the north leg of the "Y" on McGrath Road where it intersects North Old Steese Road. I am a >10 year resident of N. Old Steese Hwy, and now Teresa Turnaround. I use that stretch of road for running (exercise), biking (exercise and commuting), to access St Raphael Catholic Church, to access Fox, and occasionally to access Hagelbarger Rd (and points beyond).

If the road is to be closed there, I urge that adequate non-motorized access to that right of way, as well as the right of way (also permanently closed to vehicles) connecting McGrath to Broadview Drive, be maintained/improved for pedestrians and bicyclists.

Me and my family frequently walk or bike to St Raphael Church from our current Teresa Turnaround home, and the added (approx) 0.2 miles for walking--especially by forcing us onto N. Old Steese via the south "Y" of McGrath--will push us to drive more and walk
less. We actually made the move to Teresa Turnaround in part for the more pedestrian friendly aspects of this part of town, and have appreciated walking and biking more than we did while living on N. Old Steese, where traffic frequently drives too fast for the narrow conditions. I am concerned that this road closure will be a net negative for me and my family.

I understand that there might be plans to improving the biking and pedestrian aspects of upper McGrath, but it is not clear to me that that extends to our area, so I cannot comment on these at this time. It does appear that any extension of the bike path would end at N Old Steese Hwy (if there is any extension of the bike path planned).

Thank you.

Eric Schneider
90 Teresa Turnaround
Fairbanks, AK 99712

907-987-6043 (cell)
NOTICE OF DECISION RE: HP2017-005

July 19, 2017

State of Alaska DOT & PF
Attn: Lauren Little, PE
2301 Peger Road
Fairbanks, AK 99709-5316

RE: HP2017-005 – McGrath Road Upgrades

Dear Ms. Little:

At its meeting of July 18, 2017, the Planning Commission approved the above referenced highway project.

For the purposes of the local review process, this project was classified as a non-significant, public hearing item. Since the application did not involve relocation of business(s), changing the function of a roadway to be constructed and/or connecting roads, and there was no controversy or public controversy expected, this concludes the local review process and the remainder of the 90-day objection period is waived.

Thank you for your cooperation and assistance during the review process. If you have any questions, please feel free to contact me at 459-1260.

Sincerely,

D. Christine Nelson, AICP
Community Planning Director

DCN/dg

The Fairbanks North Star Borough is subject to the Alaska Public Records Act, AS 40.25 et seq. and this document may be subject to public disclosure under state law.
**HIGHWAY VARIANCE APPLICATION**

File No. 2019-003  

*****FEES ARE NON-REFUNDABLE*****

**FEES:**  ☑ $1,000 variance application*  
☑ $200 sign deposit (check or cash recommended)

*No fee for highway project variance requested by private property owners, if AKDOT/PF did not fulfill their statutory responsibility of obtaining a variance.

<table>
<thead>
<tr>
<th>Applicant:</th>
<th>Property Owner:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Contact Name:</td>
<td>Name:</td>
</tr>
<tr>
<td>Business Name:</td>
<td>George E. Sikorski</td>
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<tr>
<td>Mailing Address:</td>
<td>Mailing Address:</td>
</tr>
<tr>
<td>City, State Zip:</td>
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<tr>
<td>Phone:</td>
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<tr>
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<td>Zoning District:</td>
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<table>
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<th>Variance Request Information:</th>
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<tbody>
<tr>
<td>Variance Type:</td>
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<tr>
<td>Amount of ROW Acquired:</td>
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<tr>
<td>Lot Size Request:</td>
</tr>
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</table>

**Request Description and amount of variance requested:**  
Request Minimum Lot Area Reduction from 200,000 SF to 130,549 SF

**Reasons for variance request:**  
DOT PE/ROW Acquisition Reduced the Non-Conforming Lot Size Even Further

Please include any information regarding the applicability of reasonable accommodations for a person having a disability pursuant to FNSBC 18.12.030.

**APPLICANT SIGNATURE:**  

**DATE:** 6/19/19

Fairbanks North Star Borough is subject to the Alaska Public Records Act, AS 40.25 et seq. and this document may be subject to public disclosure under state law.
Mr. Gallagan:

I would like to amend my request wording for the variances located along McGrath Road:

**V2019-004** (814 McGrath Road)—I would like to request a minimum lot size variance of 4,440 sq. ft. from the original lot size of 95,832 sq. ft. which leaves a remaining lot size of 91,392 sq. ft.

**V2019-003** (878 McGrath Road)—I would like to request a minimum lot size variance of 111 sq. ft. from the original lot size of 130,680 sq. ft. which leaves a remaining lot size of 130,569 sq. ft.

Thank You

Steven Brooks
May 17, 2019

GEORGE E. SIKORSKI

LOT SIZE VARIANCE—McGRATH ROAD UPGRADES, Z628380000, PARCEL 8

NARRATIVE

The State of Alaska, Department of Transportation and Public Facilities (AK DOT&PF) is preparing to upgrade the McGrath Road from the intersection with Farmer’s Loop Road to the Old Steese. AK DOT&PF, in cooperation with the Federal Highway administration (FHWA), is proposing to upgrade approximately 2.9 miles of McGrath Road with a new surface and safety improvements like widened shoulders and guardrail improvements along with slightly realigned centerlines in selected areas.

The design of the project was determined to be the least impactful design to the surrounding property owners in this area. The project requires the acquisition of parcels in order to accommodate the slightly realigned centerline, including a portion of the George E. Sikorski property.

Variance Criteria

I. FNSBC 18.104.070 (B)(3)

e. The amount of right-of-way take from the Sikorski parcel is 111 square feet, leaving a lot size of 130,549 square feet.

f. The front setback prior to acquisition was ±108 feet, and after the right-of-way take, it will be ±108 feet.

II. FNSBC 18.104.070 (B)(2)

a. This is a public highway project and the acquisition of the parcel to accommodate the project represents a special condition peculiar to this property and is not applicable to other

"Keep Alaska Moving through service and infrastructure."
property in the zoning district. The State maintains the right to Eminent Domain on this project, and as such the sale of the parcel to the State does not constitute an arm’s length transaction. The majority of the other owners in this zoning district are not affected by this project and so this condition does not exist for other owners.

b. Strict interpretation of this title would deprive the owner of rights commonly enjoyed by other properties in this zoning district because of the McGrath Road Improvements Project.

III. FNSBC 18.104.70 (D)

1. The proposed variance conforms to the intent and purpose of this title, other ordinances and Alaska Statutes.
2. The denial of the proposed variance will deprive the property owner of the use of the property in a manner similar to the use permitted to be made by the owners of property in the immediate area.
3. The proposed variance will not adversely affect the public health, safety, and welfare, traffic or parking conditions or increase the danger of fire should it be granted.
PUBLIC NOTICE SIGN POSTING AFFIDAVIT

STATE OF ALASKA )
) ss.
FOURTH JUDICIAL DISTRICT )

I, _________________________________, being first duly sworn, depose and state that:

1. I have submitted an application identified as ________________________________.

2. I have posted and will maintain public notice sign # __________ in accordance with the following provisions:
   a. Sign is posted on the property on which my request for rezone, conditional use or variance has been made.
   b. Sign is clearly visible from streets and roads.
   c. Sign will be maintained free of snow or other materials which impede readability.
   d. Sign is posted between an elevation of 2' and 8' above ground level and no further than 50' from the edge of the road to further ensure readability from streets.
   e. Sign was posted on __________ (date) and complies with posting requirements of 20 days prior to the public hearing date.
   f. I shall return the sign to the FNSB Department of Community Planning within 10 days following the final public hearing.

3. I understand a refund check of $200.00 (the amount I have deposited for said sign) will be issued 7-10 days following return of the sign providing that sign is returned in usable condition. I further understand I may receive only partial refund if the sign is damaged when returned to the Borough.

4. This document is null and void when necessary action has been completed as provided in Item #2 f.

__________________________________________
(Signature)

__________________________________________
(Please provide name and address of Affiant)

SUBSCRIBED AND SWORN TO BEFORE ME on this __________ day of __________, 20__

__________________________________________
Notary Public in and for Alaska

__________________________________________
Commission Expires

Fairbanks North Star Borough is subject to the Alaska Public Records Act, AS 40.25 et seq. and this document may be subject to public disclosure under state law.
STATE OF ALASKA
DEPARTMENT OF TRANSPORTATION
&
PUBLIC FACILITIES

RIGHT OF WAY REQUIRED
0002300 / Z6283800000
MCGRATH ROAD UPGRADE

STATE OF ALASKA
DEPARTMENT OF TRANSPORTATION
AND PUBLIC FACILITIES

RIGHT OF WAY REQUIRED FOR
MCGRATH ROAD UPGRADE

PROJECT NO. 0002300 / Z6283800000

AREA 111 SF PARCEL NO. 8

SCALE 1" = 1/2 MILE DATE 10/24/2017

INITIAL DATE 1 OF 2
STATE OF ALASKA  
DEPARTMENT OF TRANSPORTATION  
AND PUBLIC FACILITIES  

WARRANTY DEED  
(Standard/Partial Property)  

PROJECT NAME:  
McGrath Road Upgrade  
STATE PROJECT #:  
Z628380000  
FEDERAL-AID PROJECT #:  
0002300  
PARCEL #:  
8  
UNIT #:  

THE GRANTOR, George E. Sikorski, whose mailing address is 878 McGrath Road, Fairbanks, Alaska 99725-1526, for and in consideration of ONE HUNDRED DOLLARS ($100.00), and other valuable consideration, in hand paid, conveys and warrants to the GRANTEE, STATE OF ALASKA, DEPARTMENT OF TRANSPORTATION & PUBLIC FACILITIES, whose mailing address is 2301 Peger Road, Fairbanks, Alaska 99709, the following-described real estate, located in the State of Alaska 99709, all that part of the following-described tract of land:

A parcel of land situated in Section 24, Township 1 North, Range 1 West, Fairbanks Base and Meridian (S24, T1S, R1W, FM), said parcel being a portion that land conveyed by Document No. 2015-018004-0, recorded on October 30, 2015 in the Fairbanks Recording District, Fourth Judicial District, State of Alaska, and being more particularly described as follows:

COMMENCING at a point on the easterly right-of-way line of State of Alaska Department of Transportation and Public Facilities, McGrath Road Upgrade, Federal Project No.0002300, State Project No. Z628380000, said point being offset right 33.22 feet of project centerline station “O” 61+79.65; being also the TRUE POINT OF BEGINNING;

THENCE along said easterly right-of-way bearing North 1°16’36” East, a distance of 18.36 feet to a point;

THENCE leaving said right-of-way line, the following calls:

South 88°43’24” East, a distance of 4.52 feet to a point;

South 8°15’01” East, a distance of 18.60 feet to a point;

THENCE bearing North 88°49’24” West, a distance of 7.60 feet to a point on said easterly right-of-way line of McGrath Road, said point being the TRUE POINT OF BEGINNING.
Which lies within the right-of-way lines of Alaska Project No. Z628380000 delineated as to said tract of land on the plat attached hereto and made a part hereof as pages 4 and 5 of this instrument and designated as Parcel No. 8.

Said parcel, containing 111 square feet, more or less, in addition to existing right-of-way, is hereby conveyed to the STATE OF ALASKA, DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES.

Dated this ______ day of ______, 2018.

George E. Sikorski  
Date 02/13/2018
ACKNOWLEDGMENT OF GRANTOR

STATE OF ALASKA )
C) 14th Judicial District )

On this 13th day of March, 2018 before me, the undersigned, a Notary Public in and for the State of Alaska, personally appeared George E. Slakowski, the Grantor , known to me to be the identical person who executed the foregoing instrument and who acknowledged to me that he signed the same freely and voluntarily, with full knowledge of its contents, for the uses and purposes therein mentioned.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year above written.

Notary Public in and for the State of Alaska
My Commission Expires:

CERTIFICATE OF ACCEPTANCE

THIS IS TO CERTIFY that the STATE OF ALASKA, DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES, Grantee herein, acting by and through its Commissioner, hereby accepts for public purposes the real property, or interest therein, described in this instrument and consents to the recordation thereof.

IN WITNESS WHEREOF, I have hereunto set my hand this 13th day of March, 2018.

DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES

By: ____________________________

For the Commissioner

Filed for Record at the Request of and Return to:
State of Alaska
DOT&PF – Right of Way Dept.
2301 Peger Road, MS 2553
Fairbanks, AK 99709-5399
State Business-No Charge
RIGHT OF WAY REQUIRED
0002300 / Z628380000
MCGRATH ROAD UPGRADE

STATE OF ALASKA
DEPARTMENT OF TRANSPORTATION
&
PUBLIC FACILITIES

PROJECT NO.  0002300 / Z628380000
AREA    111 SF    PARCEL NO.  8
SCALE. 1" = 1/2 MILE    DATE  10/24/2017

INITIAL  DATE  1 OF 2

Page 4 of 5
2018-003898-0
NOTICE OF DECISION RE: HP2017-005

July 19, 2017

State of Alaska DOT & PF
Attn: Lauren Little, PE
2301 Peger Road
Fairbanks, AK 99709-5316

RE: HP2017-005 – McGrath Road Upgrades

Dear Ms. Little:

At its meeting of July 18, 2017, the Planning Commission approved the above referenced highway project.

For the purposes of the local review process, this project was classified as a non-significant, public hearing item. Since the application did not involve relocation of business(s), changing the function of a roadway to be constructed and/or connecting roads, and there was no controversy or public controversy expected, this concludes the local review process and the remainder of the 90-day objection period is waived.

Thank you for your cooperation and assistance during the review process. If you have any questions, please feel free to contact me at 459-1260.

Sincerely,

D. Christine Nelson, AICP
Community Planning Director

DCN/dg

The Fairbanks North Star Borough is subject to the Alaska Public Records Act, AS 40.25 et seq. and this document may be subject to public disclosure under state law.
NOTICE OF DECISION RE: HP2017-005

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Sincerely,

D. Christine Nelson, AICP
Community Planning Director
DCN/dg
PUBLIC NOTICE SIGN PostING AFFIDAVIT

STATE OF ALASKA

FOURTH JUDICIAL DISTRICT

I, Brian Roberts, being first duly sworn, depose and state that:

1. I have submitted an application identified as V2019-003.
2. I have posted and will maintain public notice sign # P in accordance with the following provisions:
   a. Sign is posted on the property on which my request for rezone, conditional use or variance has been made.
   b. Sign is clearly visible from streets and roads.
   c. Sign will be maintained free of snow or other materials which impede readability.
   d. Sign is posted between an elevation of 2' and 8' above ground level and no further than 50' from the edge of the road to further ensure readability from streets.
   e. Sign was posted on 7/24/19 (date) and complies with posting requirements of 20 days prior to the public hearing date.
   f. I shall return the sign to the FNSB Department of Community Planning within 10 days following the final public hearing.
3. I understand a refund check of $200.00 (the amount I have deposited for said sign) will be issued 7-10 days following return of the sign providing that sign is returned in usable condition. I further understand I may receive only partial refund if the sign is damaged when returned to the Borough.
4. This document is null and void when necessary action has been completed as provided in Item #2 f.

Signature

(Date) 7/24/19

(Print Name and Address of Affiant)

SUBSCRIBED AND SWORN TO BEFORE ME on this 07/24/19 day of July, 2019

Notary Public in and for Alaska

Commission Expires

Fairbanks North Star Borough is subject to the Alaska Public Records Act, AS 40.25 et seq. and this document may be subject to public disclosure under state law.

W:\Comm\Planning\Admin\Forms & Handouts\FYE 2019\Application_VarianceHighway.docx 07/01/2018

139
On August 9, 2019 the Fairbanks North Star Borough Department of Community Planning researched information pertaining lot size status for the property identified as Tax Lot 2438, Section 24, T1N, R1W, F.M. in the Rural and Agricultural 5 (RA-5) zone. The Fairbanks North Star Borough Department of Community Planning compiled the below information:

1. The property identified as Tax Lot 2438, Section 24, T1N, R1W, F.M. is 91,392 square feet in size and zoned Rural and Agricultural 5 (RA-5) (Attachment 1). The lot does not comply with RA-5 zoning standards because it does not meet the current minimum lot size requirement of 200,000 square feet.

2. The subject lot is described in a warranty deed dated April 4, 1967 (Attachment 2). When the lot was created it was 95,832 square feet in size.

3. The property was zoned Unrestricted Use (UU) with the adoption of Ordinance No. 67-34 on March 28, 1968 (Attachment 3). There was no minimum lot size requirement for the UU zone.

4. Fairbanks North Star Borough adopted its zoning regulations with the adoption of Ordinance No. 67-34 on March 28, 1968. FNSBC 49.15.020 defined “Lot of Record” as “a plot of land, the description of which has been recorded in the office of the District Magistrate” (Attachment 3). This code provision remained in effect until 1988.

5. FNSBC 49.15.030 stated that “lots of record, or uses of land or structures existing at the time of adoption of, or amendment to, this ordinance may be continued even though they do not conform to the standards established by this ordinance” (Attachment 3). This code provision remained in effect until 1988.
6. The subject parcel was rezoned from UU to Rural and Agricultural 5 (RA-5) zone with the adoption of Ordinance No. 88-010 on April 19, 1988, instituting a minimum lot size requirement of 200,000 square feet (Attachment 4).

7. The State of Alaska DOT filed a Right of Way Deed on March 12, 2018, acquiring 4,440 square feet of TL 2438, leaving the parcel in its current size of 91,392 square feet (Attachment 5).

8. The property identified as Tax Lot 2438, Section 24, T1N, R1W, F.M. has not been further altered since it was described by deed in 2018.

Because a statutory warranty deed for the property identified as Tax Lot 2438, Section 24, T1N, R1W, F.M. was recorded in 1967 and met the definition of a lot of record, prior to the establishment of the 200,000 sq. ft. minimum lot size requirement with the adoption of Ordinance No. 88-010 on April 19, 1988; Tax Lot 2438, Section 24, T1N, R1W, F.M. was created prior to the lot size minimum requirement of 200,000 sq. ft in the Rural and Agricultural (RA-5) zone.
Property Information for PAN #: 0686647

STATUS: ACTIVE - ROLL TYPE 1
PROPERTY DESCRIPTION: 1N 1W, SEC: 24, TAXLOT: 2438
OWNER: Parker Quinton Odell [ownership], Sandstrom Wayne
Robert [duplicate Notice & Bill]
BILLING ADDRESS: 3930 Tibor St Fairbanks, AK 99701 7262
SITUS ADDRESS: N/A
PARCEL SIZE: 91392 SF
NEIGHBORHOOD: Farmers Loop (0902)
LAND CLASS: General Residential Lowlands
PRIMARY USE: Residential
FLOOD ZONE: X (100%)
SPECIAL REG. AREAS: None
ZONING: RA-5 (100%)
COMP PLAN: Perimeter Area (100%), Perimeter Boundary (100%)
PLANNING DISTRICT: North Fairbanks (100%)
ROAD DISTRICT: N/A
URBAN BOUNDARY (2003): YES
ROAD SERVICE AREA: None
FIRE SERVICE AREA: Steese (100%)
FIRE SERVICE (Property DB): Steese Vol Fire S A
STRUCTURES: Rental Cabin, Dry (1 Unit), Rental Cabin, Dry (1 Unit), Rental Cabin, Dry (1 Unit)
BUSINESS ON SITE: N/A
MILL GROUP: Steese Volunteer Fire Service Area (0937)
(Est. Mill Rate: 14.39)
PLAT NUMBER: No plat (No Plat)
DESCRIPTION (VAULT): TL 2438 SECTION 24 1N 1W
Right-of-Way Deed 2018-003777-0 - 3/12/2018
Previously assessed as 1N 1W 24 2407
COMMUNITY PLANNING PERMITS: NONE

Assessment History

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<tr>
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<th>Land Improvements</th>
<th>Total</th>
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<tr>
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<td>$88,305</td>
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</table>

*The Fairbanks North Star Borough does not warrant the accuracy of maps or data provided, nor their suitability for any particular application. There may be errors in the data.*

Photo Date: 06, 2018  Photo No: 14
STATUTORY WARRANTY DEED
(As provided by A.S. 34.15.030)

The grantor, EMILY H. BAHLE and FRANK GRANITE

of Seattle, Washington, for and in consideration of
Ten Dollars ($10.00) and other good and sufficient consideration,
in hand paid, conveys and warrants to WILLIAM C. ARANT and
ALICIA M. ARANT, husband and wife,

the following described real estate situated in the State of
Alaska:

From the South center one Sixteenth corner of Section 24,
Township One North, Range One West, Fairbanks, Meridian, which
is the Northwest corner of the Southwest Quarter of the
Southeast Quarter of said Section 24; thence South 0°12'27" West
along the West boundary of the Southwest Quarter of the
Southeast Quarter of Section 24; a distance of 30.0 feet to
the point of beginning; thence South 0°12'27" West a distance
of 240.0 feet; thence North 89°57' West, a distance of 447.76
feet to the East edge of the McGrath Road right of way; thence
along the East edge of the McGrath Road right of way, North
10°23'46" East a distance of 253.97 feet; thence South 89°57'
East, a distance of 369.09 feet to the point of beginning.

Dated this day of March 28, 1967

EMILY H. BAHLE

WILLIAM C. ARANT

WASHINGTON
STATE OF ALASKA,

THIS IS TO CERTIFY that on this 29 day of March 1967, before me, the undersigned, a notary public in and for
the State of Alaska, personally appeared EMILY H. BAHLE and
FRANK GRANITE

to me known to be the persons described in and who executed the
within and foregoing Deed, and acknowledged to me that he signed
and sealed the said instrument as their free and voluntary act
and deed for the uses and purposes therein mentioned.

WITNESS my hand and notarial seal on the day and year in
this certificate first above written.

M. W. SCHULTZ
Notary Public in and for Alaska
My Commission expires July 26, 1970

RECORDED
APR 4 1967
FAIRBANKS
RECEIVED
APR 4 1967
FAIRBANKS
ORDINANCE NO. 67-34

AN ORDINANCE AMENDING THE FAIRBANKS NORTH STAR BOROUGH CODE OF ORDINANCES, TITLE 49, BY DELETING CHAPTER 15, FAIRBANKS ZONING; CHAPTER 20, UNIVERSITY AVENUE ZONING; AND CHAPTER 25, MUSKOX ZONING; AND CODIFYING THE FOLLOWING ORDINANCE AS CHAPTER 15, FAIRBANKS NORTH STAR BOROUGH CODE OF ORDINANCES

WHEREAS, the Fairbanks North Star Borough Planning Commission has caused to be prepared a proposed Planning and Zoning Ordinance for the Fairbanks North Star Borough, has held public hearings on said proposed ordinance, and has recommended to the Fairbanks North Star Borough Assembly that the Ordinance be adopted,

NOW, THEREFORE, BE IT ORDAINED by the Assembly of the Fairbanks North Star Borough, Alaska, that the Fairbanks North Star Borough Code of Ordinances be amended by deletion of Chapters 15, 20, and 25, Title 49, and by adding Chapter 15, Title 49, as noted on the following pages, annexed Exhibit A.

PASSED AND APPROVED this 28th day of March, 1968.

ATTEST:

John L. Gardner
Clerk of the Assembly

By: Mr. Gillam
Introduced 11/30/67
Adopted 3/14/68
Reconsidered & Amended 3/28/68
Adopted as Amended 3/28/68
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<tr>
<th>Section</th>
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<tbody>
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<td>Short Title</td>
<td>21</td>
</tr>
<tr>
<td>49.15.010</td>
<td>Purpose</td>
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<td>49.15.020</td>
<td>Definitions</td>
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<td>Non-Conforming Lots, Structures, and Uses</td>
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<td>49.15.040</td>
<td>Zone Abbreviations</td>
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<td>49.15.050</td>
<td>Zone Boundaries</td>
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<td>Unrestricted Use Zone</td>
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<td>49.15.070</td>
<td>Permitted Uses</td>
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<td>Permitted Signs</td>
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<td>49.15.090</td>
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<td>49.15.100</td>
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<td>49.15.110</td>
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<td>Zoning Officer</td>
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<td>Zoning Permits</td>
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<td>Conditional Use Permits</td>
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<td>49.15.210</td>
<td>Special Exceptions</td>
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<td>49.15.220</td>
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<td>49.15.230</td>
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<td>49.15.240</td>
<td>Board of Adjustment</td>
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<td>49.15.290</td>
<td>Severability</td>
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<td>49.15.300</td>
<td>Repeal</td>
<td>51</td>
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</tbody>
</table>
EXHIBIT A

TITLE 49, CHAPTER 15

Sec. 49.15.005. Short Title. This Ordinance may be referred to as "Fairbanks North Star Borough Zoning Ordinance".

Sec. 49.15.010. Purpose. The provisions of this Ordinance are for promotion of the public health, safety and welfare.

Sec. 49.15.020. Definitions. For the purpose of this Ordinance the word "shall" is mandatory, the word "may" is permissive. Certain other terms or words used herein shall be interpreted as follows:

(a) Alley. A public way designed and intended to provide a secondary means of access only to any property abutting thereon.

(b) Automotive Repair, Major. Major repair or rebuilding of engines, motor vehicles, or trailers; body, frame, or fender straightening or repair; overall painting.

(c) Automotive Repair, Minor. Replacement of minor parts; tune-up; lubrication; washing and polishing of passenger cars and trucks not exceeding 2-1/2 ton capacity.

(d) Automotive Wrecking. Dismantling of motor vehicles or trailers; storage or sale of wrecked vehicles or of parts from dismantled, partially dismantled, or wrecked vehicles.

(e) Building Area. The total of areas covered by a roof, building, or other above-ground structure taken on a horizontal plane plus any additional required off-street parking.

(f) Conditional Use. A use that is essential to or would promote the public health, safety, or welfare but which would also impair the integrity and character of the zone in which the use is conditionally permitted, or of adjoining zones, unless restrictions on location, size, or extent are imposed in addition to those imposed on "permitted uses".

(g) Dwelling Unit. One or more rooms intended as a living unit for one household and having kitchen facilities.

(h) Guest Room. A room in a hotel or rooming house used to provide sleeping accommodations.
(i) Hospital. A building or portion thereof used for the treatment of sick, injured, or infirm persons, and accredited by the American Hospital Association.

(j) Hotel. A building or group of buildings in which there are guest rooms used for general public lodging, on a day-to-day basis.

(k) Junk. Dismantled or wrecked vehicles or machinery, used appliances and furniture, scrap metals, rubber, paper, plastic, or other scrap materials.

(l) Junk Yard. The use of more than 500 square feet of the area of any lot for the dismantling or wrecking of automobiles, other vehicles, or machinery, the storage or keeping of the parts or equipment resulting from such dismantling or wrecking, or the storage or keeping of junk.

(m) Kennels. A lot on which are maintained out of doors four or more dogs.

(n) Lot. A plot of land occupied or to be occupied by a principal use.

(b) Lot of Record. A plot of land, the description of which has been recorded in the office of the District Magistrate.

(p) Lot Line, Interior. A line separating a lot from another lot or from an alley.

(q) Lot Line, Street. A line separating a lot from a street.

(r) Mineral Extraction. The taking from the ground, for commercial use or processing, ore, dirt, sand, gravel, rock, other inorganic material, peat, gas, oil, or coal.

(s) Mobile Home. A dwelling which is designed for transportation as one unit, after fabrication, on highways to a site where it is to be occupied and at which site it arrives complete and ready for occupancy, except for incidental unpacking and assembly operations, location on jacks or foundations, and connections to utilities.

(t) Nursery. Children's. A home or institution used and maintained commercially to provide daily care for five or more children.

(u) Off-Street. An area located entirely outside of the dedicated right-of-way of a street or alley.
(v) Parking Lot. A commercial or public off-street parking facility.

(w) Person. A natural person, his heirs, executors, administrators or assigns, and also including firm, partnership, corporation, its or their successors or assigns, trust, or other legal entity, or agent of any of the aforesaid.

(x) Principal Use. The major or predominant use of a lot, as described in Sec. 49.15.160, Schedule A.

(y) Rooming House. A building where lodging, with or without meals is provided for compensation for three or more persons, and which is not operated for transient guests.

(z) Sanitarium. A building used for caring for aged, or convalescent persons, for which a license is required by a city, borough, state, or federal agency.

(aa) Sign. A single display surface or display device, containing elements organized, related, and composed to form a unit and visible from a street.

(bb) Sign Area. The entire area within a regular geometric form, or combinations of regular geometric forms, comprising all of the display areas or exposed sides of a sign.

(cc) Street. A public right-of-way used as a thoroughfare or which is designed and intended to provide the primary means of access to property abutting thereon.

(dd) Trailer. A vehicle used or intended to be used as transient living or sleeping quarters for humans and which may be driven, towed, or propelled from one location to another without change in structure or design, whether or not the same be supported by wheels, and including trailers, trailer coaches, house cars, and pick-up campers.

(ee) Trailer Park. A lot used for the parking of two or more trailers.

(ff) Use. The purpose of which land or a building is arranged, designed, or intended, or for which either land or a building is occupied or maintained.

(gg) Yard. That portion of a lot not covered by the building area.

(hh) Yard, Interior. A yard extending across the full width or depth of a lot between a building and an interior lot line.

(ii) Yard, Street. A yard extending across the full width or depth of a lot between a building and a street lot line.

(jj) Zone. A portion of the Fairbanks North Star Borough within which certain uniform uses are permitted under the provisions of this ordinance.
(kk) Zone Change. The alteration of a zone boundary or the re-
classification of a lot from one zone to another.

Sec. 49.15.030. Non-Conforming Lots, Structures, and Uses.
Lots of record, or uses of land or structures existing at the time
of adoption of, or amendment to, this ordinance may be continued
even though they do not conform to the standards established by this
ordinance; provided any such non-conforming use which is discontinued
for a period of twelve months may not be re-established; and, pro-
vided further no such non-conforming structure or use may be expand-
ed except in accordance with the standards established by this
ordinance.

Sec. 49.15.040. Zone Abbreviations. The following zones
and their respective two-letter abbreviations are established:

<table>
<thead>
<tr>
<th>ZONE</th>
<th>ABBREVIATION</th>
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<tr>
<td>(a) Outdoor Recreation</td>
<td>OR</td>
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<tr>
<td>(b) General Agriculture</td>
<td>GA</td>
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<tr>
<td>(c) Rural Estate</td>
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<td>(d) Rural Residential</td>
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<td>(e) Restricted Residential</td>
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<td>(h) Neighborhood Shopping</td>
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<td>(i) Business</td>
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<td>(j) Light Industrial</td>
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<tr>
<td>(k) Heavy Industrial</td>
<td>HI</td>
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<tr>
<td>(l) Unrestricted Use</td>
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</table>

Sec. 49.15.050. Zone Boundaries. The Fairbanks North
Star Borough shall be divided into zones as described on the
following pages:
Sec. 49.15.050. Zone Boundaries.

(a) Outdoor Recreation Zone. That portion of land lying north of Airport Way, west of Moore Street, south of the Chena River and east of Peger Road.
Sec. 49.15.050. Zone Boundaries.

(b) General Agriculture Zone. None.
Sec. 49.15.050. Zone Boundaries.
(c) Rural Estate Zone. The Musk Ox Subdivision described as:

S-1/2 SW-1/4 Sec. 17, T1N, R1W; N-1/2 Sec. 19, T1N, R1W; N-1/2 Sec. 20, T1N, R1W all of the Fairbanks Meridian.
Sec. 49.15.050. Zone Boundaries.

(d) Rural Residential Zone, Boyd Subdivision, No. 1 and 2, Sec. 8, T1S, R1W, Fairbanks Meridian;
    Halvorson Estate Subdivision, Sec. 8, T1S, R1W, Fairbanks Meridian;
    Sprucewood Subdivision, Sec. 7, T1S, R1W, Fairbanks Meridian;
    Wilcox Subdivision, Sec. 7, T1S, R1W, Fairbanks Meridian;

That area bounded by University Avenue, the Alaska Railroad Tracks, Noyes Slough and the north section line of Sec. 8, T1S, R1W, Fairbanks Meridian,
Sec. 49.15.050. Zone Boundaries.
(e) Restricted Residential Zone.

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<td>South Addn. to Westgate</td>
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</table>

A parcel of land 800 feet by 150 feet lying between Lots 1 and 2 of Block 4, Taku;

A parcel of land 150 feet by 100 feet lying between Lots 6 and 7, Block 6, Taku;

That portion of Block 210 which is an irregularly shaped parcel of land 500 feet deep on 16th Avenue and 520 feet long, bounded on the east by Hunter School, on the north by 16th Avenue, on the west by Cowles Street, and on the south by 17th Avenue;
That area bounded by Young Street on the west, Stewart Street on the east, Crosson Avenue on the South and Tenth Avenue on the north. (The area immediately described above is often referred to as Blocks 148, 149, 150 and 153, Fairbanks Townsite.); 

That area bounded on the north by Second Avenue, on the west by Young Street, on the south by 10th Avenue, on the east by Wien Avenue, Fairbanks Townsite. (This area is often referred to as Block 152, Fairbanks Townsite.); 

The North Addition to Westgate Subdivision; 

All of the Northwest Portion of Hamilton Acres, all of the Middle East Portion of Hamilton Acres, and all of the Northeast Portion of Hamilton Acres, according to the plats filed as instrument numbers 133.741; 122.417; and 107.114 respectively in the District Recorder's Office, Fairbanks, Alaska; and all of Timberland Subdivision, according to the plat filed as instrument number 126.520 in the District Recorder's Office, Fairbanks, Alaska; and NW-1/4 SW-1/4, Section 12, T1S, R1W, Fairbanks Meridian and that part of the east 1/2 of Section 11, T1S, R1W, Fairbanks Meridian, bounded on the north and east by Hamilton Acres Subdivision and on the south by the Chena River and on the west by the City Limits of Fairbanks, as of November 22, 1967. 

That tract or parcel of land in Section 16, T1S, R1W, Fairbanks Meridian east of the west 16th line of said section except the NE-1/4 NW-1/4 and the NW-1/4 NE-1/4 of said section. 

All city owned property between Airport Way and 19th Avenue not presently zoned otherwise.
Sec. 49.15.050. Zone Boundaries.

(f) General Residential Zone. All lots and blocks (and tracts) located within the limits of the City of Fairbanks, Alaska, as of November 27, 1967, not included in another zone.
Sec. 49.15.050. Zone Boundaries.

(g) Multiple Residential Zone.

<table>
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</table>

Blocks A2 and A3 of Tract A, Fairbanks Townsite;

Beginning at the intersection of the south right-of-way line of Airport Way and the east right-of-way line of Lathrop Street; thence S 0° 01' W a distance of 80 feet; thence S 59° 59' E a distance of 320 feet; thence S 89° 59' E a distance of 500 feet; thence N 0° 01' E to the S right-of-way line of Airport Way; thence westerly along the south right-of-way line of Airport Way to the point of beginning;

That area bounded on the north by 17th Avenue, on the South by 22nd Avenue, on the east by Mercier Street on the west by Turner Street.
Sec. 49.15.050. Zone Boundaries.

(h) Neighborhood Shopping Zone. Block 135, Weeks Field Subdivision;
Block 10, South Addition to Westgate Subdivision.
Sec. 49.15.050. Zone Boundaries.

(i) Business Zone.

<table>
<thead>
<tr>
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<tr>
<td>21, 22</td>
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</table>

That area bounded on the north by Third Street, on the west by the Steese highway, and on the south and east by Circle Avenue in Graehl,
That part of the SE-1/4 of Section 9, T1S, R1W, Fairbanks Meridian described as follows:

Beginning at a point on the south section line of Sec. 9, T1S, R1W, Fairbanks Meridian that is approximately 967 feet west of the section corner common to Sections 9, 10, 15, 16, T1S, R1W, Fairbanks Meridian; thence north approximately 825 feet to the south right-of-way line of Airport Way, thence east along the right-of-way line of Airport Way 660 feet; thence south approximately 825 feet to the south section line; thence west 660 feet to the point of beginning.

Beginning at the intersection of the south right-of-way line of Airport Way and the west right-of-way line of Cowles Street; thence south along the west right-of-way line of Cowles Street a distance of 180 feet; thence south 60° 01' W a distance of 320 feet; thence N 89° 59' W a distance of 409.87 feet; thence N 0° 01' E to the south right-of-way line of Airport Way; thence easterly along the south right-of-way line of Airport Way to the point of beginning.

The NE-1/4 of the NW-1/4 and the NW-1/4 of the NE-1/4 Section 16, T1S, R1W, Fairbanks Meridian;

The S-1/2 SW-1/4 SW-1/4, Section 9, T1S, R1W, Fairbanks Meridian.
Sec. 49.15.050. Zone Boundaries.

(j) Light Industrial Zone.

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<tr>
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<td>All</td>
<td>South Cushman</td>
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</table>

The area bounded on the north by Phillips Field Road, on the west by ARR, on the south by the north boundary line of Lot 8, North Addition and on the east by Lots 19 and 20 of Block 3, North Addition;

That area bounded by Minnie Street on the north, Noyes Slough on the south and east and an extension of the westerly right-of-way line of Clara Street on the west;

All of Block 12 Slater Subdivision except the portion lying north of a line that is the north boundary of Lots 1, 3, 5, 7, 9;

That area west of the West 16th line of Section 16, T1S, R1W, Fairbanks Meridian except for a strip 50 feet in width along the west section line of said section;

That part of the Robert H. Day Homestead lying in Government Lots 7 and 8 of Section 9, T1S, R1W, Fairbanks Meridian, described as follows:

Beginning at a point on the north line of Second Avenue that is south 72° 16' West 1,340.44 feet from the southwest corner of Block 26, Townsite of Fairbanks, according to the survey of said Townsite, known as the L.S. Robe Map of 1909, reproduced by Karl Theile, U.S. Surveyor-General in 1922; thence along the north line of Second Avenue, north 61° 22' east 336.75 feet; thence north 25° 03' west 158.90 feet to the
south bank of the Chena River; thence south 85° 21' west 215.10 feet; thence south 82° 24' west 284.81 feet to the easterly boundary line of a roadway; thence along said roadway, south 20° 27' east 421.79 feet to the north line of said Second Avenue; thence north 60° 40' east 139.60 feet to the point of beginning;

That part of Graehl Townsite bounded on the south by Hinnie Street, on the east by the Steese Highway, on the north by City Limits of Fairbanks as of November 22, 1967, and on the west by Noyes Slough,

That part of Graehl Townsite bounded on the north by Hinnie Street, on the east by the Steese highway, on the south by Second Avenue and on the west by a line described as follows:

Beginning on the north right-of-way line of Second Street 139.26 feet W of the westerly right-of-way line of the Steese Highway; thence N 41° 46' E 124 feet, thence westerly 90 feet to a lot line, thence N 39° 10' E approximately 120 feet along said lot line to Hinnie Street.

That area bounded on the east by Illinois Street; on the south by Phillips Field Road; on the west by a line described as follows:

Beginning at the intersection of Phillips Field Road and Illinois Street thence northwesterly approximately 550 feet along Phillips Field Road to a point of intersection with the tracks of the Alaska Railroad which is the point of beginning, thence northeasterly approximately 1500 feet along the siding of the Alaska Railroad to a point described as follows:

Beginning at corner number 2 of U.S. Survey 2159 (located at the intersection of the southerly right-of-way line of Phillips Field Road extended and the westerly right-of-way line of Illinois Street) thence N 67° 20' W 480.47 feet, thence N 27° 17' E 479.35 feet, thence N 17° 37' W 88.00 feet, thence N 27° 23' E 192.13 feet, thence N 85° 23' E 88.44 feet, thence N 42° 06' E 438.42 feet to a point on the southerly bank of Noyes Slough; and on the north by Noyes Slough.

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Sec. 49.15.050. Zone Boundaries.

(k) Heavy Industrial Zone.

That area bounded on the east by a line described as follows:

Beginning at the intersection of Phillips Field Road and Illinois Street, thence northwesterly approximately 550 feet along Phillips Field Road to a point of intersection with the tracks of the Alaska Railroad which is the point of beginning, thence northeasterly approximately 1500 feet along the siding of the Alaska Railroad to a point described as follows:

Beginning at corner no. 2, U.S. Survey 2159 (located at the intersection of the southerly right-of-way line of Phillips Field Road extended and the westerly right-of-way line of Illinois Street) thence N 67° 20' W 480.47 feet, thence N 27° 17' E 479.35 feet, thence N 17° 37' W 35.00 feet, thence N 27° 23' E 192.13 feet, thence N 35° 23' E 88.44 feet, thence N 42° 06' E 438.42' to a point on the southerly bank of Noyes Slough; on the north and west by Noyes Slough and the southerly right-of-way line of the Alaska Railroad Fort Wainwright Spur and on the south by Phillips Field Road.

That area bounded on the south by the Chena River, on the east by the centerline of North Cushman Street and the centerline of North Cushman Street extended, on the north by Phillips Field Road, and on the west by the west section line of Section 10, T15 S, R14 W, Fairbanks Meridian, except Brandt Subdivision; and

<table>
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<th>Lots</th>
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<th>Subdivisions</th>
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<td>1,2a,2b</td>
<td>71</td>
<td>Fairbanks Townsite</td>
</tr>
</tbody>
</table>
Section 49.15.050. Zone Boundaries.

(1) Unrestricted Use Zone. All land within the Fairbanks North Star Borough not in any other zone.
Sec. 49.15.060. Unrestricted Use Zone. Notwithstanding any statements to the contrary in this ordinance, no restrictions, standards, conditions, or permits provided for other zones shall apply in the UU Zone. In the UU zone, structures of any type and size may be placed or constructed on any lot, and any use may be made of the lot or of structures thereon.

Sec. 49.15.070. Permitted Uses. The land and building uses which are permitted in each established zone are shown in Sec. 49.15.160 Schedule A, except that permitted signs are described in Sec. 49.15.080. Uses permitted outright are indicated by the letter "P". Uses conditionally permitted, in accordance with Sec. 49.15.200 of this ordinance are indicated by the letter "C". Uses not permitted are indicated by the letter "N". Detached accessory buildings and other structures may be constructed on a lot. The lot and structures may be used for purposes customarily subordinate to the principal use of the lot. A business is permitted to be carried on within a dwelling if the business is incidental to the use of the dwelling for residence purposes and its conduct is not apparent from the exterior of the dwelling and does not adversely affect the principal uses permitted in the zone of which it is a part. The installation and maintenance of public utility lines are permitted in all zones.

Sec. 49.15.080. Permitted Signs. Signs are permitted in each zone to advertise the premises or the facilities, activities or enterprises situated on the lot on which the signs are located, as described in Sec. 49.15.160, Schedule B of this ordinance. A sign shall not be installed in a required yard, except in the OR, GA, RB and RR zones. A sign or light shall not be installed which would be a hazard to persons or traffic, or an obstruction to utilities. Permitted signs in the BS, LI and HI zones may overhang a sidewalk to within one foot of the curb line, provided the bottom of the sign is at least ten (10) feet above the sidewalk, and the sign shall extend beyond a line which begins at the intersection of a street lot line with an interior lot line and forms a 30 degree angle with the street lot line. Traffic, street and other public signs may be installed and maintained in any zone by a city, borough, state, or federal agency.

Sec. 49.15.090. Geometrical Standard for Lots. No building area shall be so placed as to cover more of its lot, be on a lot of less size, or have yards of less size, than as provided in Section 49.15.160, Schedule C. More than one structure containing a principal use may be placed on a single lot if the standards in Schedule C are maintained for each such structure. Twenty percent of a required yard may contain structures which do not extend more than two and one half feet above the ground.
Sec. 49.15.100. Fire Walls. An exterior building wall which is closer than three feet to an interior lot line shall have a fire rating of at least two hours as given in the 1959 Edition of Fire Resistance Ratings, published by the National Board of the Fire Underwriters.

Sec. 49.15.110. Fences. Fences and hedges are permitted in required yards except where their existence constitutes a menace to public safety.

Sec. 49.15.120. Visibility at Street Intersections. On a corner lot, nothing shall be placed or allowed to grow so as materially to impede vision between 2-1/2 and 10 feet above the centerline grades of the intersecting streets within a triangle, two sides of which are measured along the street lot lines from the corner for a distance of 1-1/2 times the required street yard depth. (Sec. 49.15.160, Schedule C).

Sec. 49.15.130. Off-Street Parking. Off-street parking is required in all zones except the Unrestricted Use Zone. NOTE: In the core area of Fairbanks bounded by First Avenue, Noble Street, Fifth Avenue and Barnette Street and First Avenue, Barnette Street, Third Avenue, and Wickersham Street all parking requirements shall be waived. No required off-street parking space shall be located in a required street yard. Required off-street parking spaces for one lot shall average at least 200 square feet in area and shall be easily accessible from a public street. Required off-street parking in NS, BS, LI and HI zones shall be provided within 300 feet of the lot having the use for which the parking is required.

Sec. 49.15.140. Off-Street Loading. At least one off-street loading berth shall be provided for every structure having over 8,000 square feet of floor area. A loading berth shall be at least 12 feet by 24 feet in area and have minimum vertical clearance of 14 feet.

Sec. 49.15.150. Driveways. Every driveway entrance onto a street or alley shall be 30 feet or more from the intersection of the curb lines of two streets or a street and an alley.

Sec. 49.15.160. Development Standards. The following schedules:

Schedule A - Permitted Uses
Schedule B - Permitted Signs
Schedule C - Geometrical Standards for Lots
Schedule D - Required Off-Street Parking

are incorporated in and made a part of this ordinance.
<table>
<thead>
<tr>
<th>Schedule A</th>
<th>P = Permitted Outright</th>
<th>C = Permitted Conditionally</th>
<th>N = Not Permitted</th>
</tr>
</thead>
<tbody>
<tr>
<td>OR = Outdoor Recreation</td>
<td>R1 = Restricted Residential</td>
<td>RE = Rural Estate</td>
<td>NS = Neighborhood Shopping</td>
</tr>
<tr>
<td>GA = General Agriculture</td>
<td>R2 = General Residential</td>
<td>BS = Business</td>
<td>LI = Light Industrial</td>
</tr>
<tr>
<td>RR = Rural Residential</td>
<td>RS = Multiple Residential</td>
<td>HI = Heavy Industrial</td>
<td>UU = Unrestricted Use</td>
</tr>
</tbody>
</table>

<p>| P | R | A | G | R | R | R | R | R | S | S | S | S | I | I | I | I | U | U |
| 1. Parking lot, park with no overnight facility, trail, water sports facility, golf course, utility substation | P | P | C | C | C | C | C | F | P | P | P | P | P | P | P | P | P |
| 2. Trailer Park, Campground | P | P | N | N | N | N | N | N | N | N | P | P | N | N | P | P | P |
| 5. Residential structure containing one dwelling | P | P | P | P | P | P | P | P | N | N | N | N | N | N | N | P | P |
| 4. Residential structure containing two dwelling units | P | P | P | P | P | N | P | N | N | N | N | N | N | N | N | N | N |
| 5. Residential structure containing more than two dwelling units, Rooming House | N | N | N | N | N | N | N | P | P | P | P | P | N | N | N | P | P |
| 9. Hospital, Sanatorium, Nursing Home | C | N | N | N | N | N | N | P | P | N | N | N | N | N | N | P | P |
| 11. Commercial Agricultural Use &amp; Food and Beverage Processing | N | P | N | N | N | N | N | N | N | N | P | P | P | P | P | P | P |
| 12. Animal &amp; Veterinary Hospital, Kennels | P | P | C | N | N | N | N | N | N | N | C | P | P | P | P | P | P |
| 13. Saw Mill | C | P | N | N | N | N | N | N | N | N | N | N | N | N | N | P | P |</p>
<table>
<thead>
<tr>
<th>Category</th>
<th>P = Permitted Outright</th>
<th>C = Permitted Conditionally</th>
<th>N = Not Permitted</th>
</tr>
</thead>
<tbody>
<tr>
<td>Outdoor Recreation</td>
<td>R1 = Restricted Residential</td>
<td>BS = Business</td>
<td></td>
</tr>
<tr>
<td>General Agriculture</td>
<td>R2 = General Residential</td>
<td>LI = Light Industrial</td>
<td></td>
</tr>
<tr>
<td>Rural Estate</td>
<td>R3 = Multiple Residential</td>
<td>HI = Heavy Industrial</td>
<td></td>
</tr>
<tr>
<td>Rural Residential</td>
<td>NS = Neighborhood Shopping</td>
<td>UU = Unrestricted Use</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Activity</th>
<th>O</th>
<th>G</th>
<th>C</th>
<th>R</th>
<th>A</th>
<th>E</th>
<th>R</th>
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<th>U</th>
</tr>
</thead>
<tbody>
<tr>
<td>14. Filling Station, Minor Automobile Repair</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>C</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
</tr>
<tr>
<td>15. Hardware Store, Garden Supply Store, Self-Service Dry Cleaning &amp; Laundry</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
</tr>
<tr>
<td>16. Carpenter, Electrical, Plumbing, Machine, Sign, Heating, Sheetmetal, Painting, Upholstering Shop, Tire Recapping, Major Automotive Repair, Bus Depot, Brewery, Contractor Storage Yard, Dry Cleaning Plant, Laundry, Warehouse, Storage Building, Bus or Truck Storage, Rail, Motor, Freight or Truck Terminal, Lumber Yard</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
</tr>
<tr>
<td>17. Car, Mobile Home or Trailer Sales</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
</tr>
<tr>
<td>18. Drive-In Theater</td>
<td>P</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
</tr>
<tr>
<td>19. Heavy Contractor Equipment Storage Yard, Shop or Rental, Truck or Bus Repair</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>P</td>
<td>P</td>
<td>P</td>
</tr>
<tr>
<td>20. Fraternal Organization</td>
<td>P</td>
<td>C</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>C</td>
<td>P</td>
<td>N</td>
<td>N</td>
<td>P</td>
<td>P</td>
</tr>
<tr>
<td>21. Office, Bank, Library, Post Office</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>C</td>
<td>P</td>
<td>N</td>
<td>N</td>
<td>P</td>
<td>P</td>
</tr>
<tr>
<td>22. Museum, Auditorium, Indoor Sport Facility, Exhibition or Convention Hall</td>
<td>C</td>
<td>C</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>P</td>
<td>P</td>
<td>C</td>
<td>P</td>
<td>P</td>
<td>P</td>
</tr>
<tr>
<td>23. Hotel, Motel</td>
<td>P</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>N</td>
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<tr>
<td>OR</td>
<td>Outdoor Recreation</td>
<td>R1</td>
<td>Restricted Residential</td>
<td>RS</td>
<td>Business</td>
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<tr>
<td>CA</td>
<td>General Agriculture</td>
<td>R2</td>
<td>General Residential</td>
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<td>Light Industrial</td>
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<tr>
<td>RE</td>
<td>Rural Estate</td>
<td>R3</td>
<td>Multiple Residential</td>
<td>HI</td>
<td>Heavy Industrial</td>
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<tr>
<td>RR</td>
<td>Rural Residential</td>
<td>NS</td>
<td>Neighborhood Shopping</td>
<td></td>
<td>Unrestricted Use</td>
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</thead>
<tbody>
<tr>
<td>R</td>
<td>A</td>
<td>E</td>
<td>R</td>
<td>1</td>
<td>2</td>
<td>3</td>
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<td>I</td>
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</tr>
</tbody>
</table>

24. Power Plant, above ground fuel storage, Tanning, Mineral Extraction: C C N N N N N N N N N N C P

25. Refining of Petroleum or Petroleum Products, Junk or Automotive Wrecking Yard, Smelting, Commercial Airports: N N N N N N N N N N N N N N N N C P

26. Manufacturing or Processing of Handicrafts or Garden Products Principally for Retail Sale on the Premises: P P N N N N N N C P P P C P

27. Retail Business or Service Establishment, except as listed above: N N N N N N N N P P P P C P

28. Manufacturing, except as listed above: N N N N N N N N N N N N C C P

29. Private Airports: P P P P N N N N N N N N P P P P
### SCHEDULE B

**PERMITTED SIGNS**

<table>
<thead>
<tr>
<th>Zones</th>
<th>Permitted Signs</th>
</tr>
</thead>
<tbody>
<tr>
<td>Outdoor Recreation General Agriculture Business Light Industrial Heavy Industrial</td>
<td>1. Any number of signs, the total area of which does not exceed three square feet per lineal foot of street lot line or three hundred square feet of sign area per lot, whichever is the lesser amount, provided that signs flat against the building, not extending beyond the building, and not having intermittent lighting or moving parts shall be excluded from area calculations.</td>
</tr>
<tr>
<td></td>
<td>2. One sign per street lot line, not exceeding thirty square feet in area, advertising the sale, rental or lease of the premises.</td>
</tr>
<tr>
<td></td>
<td>3. Conditionally, temporary signs or commercial displays for special public events.</td>
</tr>
<tr>
<td>Rural Estate</td>
<td>1. One sign not exceeding two square feet in area, advertising a business carried on within a dwelling.</td>
</tr>
<tr>
<td>Rural Residential</td>
<td>2. One sign not exceeding six square feet in area, advertising the sale, rental or lease of the premises.</td>
</tr>
<tr>
<td>Restricted Residential</td>
<td></td>
</tr>
<tr>
<td>General Residential</td>
<td></td>
</tr>
<tr>
<td>Multiple Residential</td>
<td></td>
</tr>
<tr>
<td>Neighborhood Shopping</td>
<td>1. One sign not exceeding 10% of the area of the face of the building devoted to the use advertised, attached flat against the building, not extending above the building face, and not having intermittent lighting or moving parts.</td>
</tr>
<tr>
<td></td>
<td>2. One sign not exceeding twenty square feet in area, advertising the sale, rental or lease of the premises.</td>
</tr>
<tr>
<td></td>
<td>3. Conditionally, temporary signs or commercial displays for special events.</td>
</tr>
<tr>
<td>Zones</td>
<td>Permitted Signs</td>
</tr>
<tr>
<td>------------------</td>
<td>---------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Unrestricted Use</td>
<td>1. Any number of signs, of any size, of any type, in any location.</td>
</tr>
</tbody>
</table>
### SCHEDULE C

**GEOMETRICAL STANDARDS FOR LOTS**

<table>
<thead>
<tr>
<th>ZONE</th>
<th>Maximum Building Area (% of Lot Area)</th>
<th>Minimum Lot Area (Square Feet)*</th>
<th>Minimum Street Yard Depth (Feet)</th>
<th>Minimum Interior Yard Depth (Feet)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Outdoor Recreation</td>
<td>10</td>
<td>200,000</td>
<td>50</td>
<td>50</td>
</tr>
<tr>
<td>General Agriculture</td>
<td>10</td>
<td>200,000</td>
<td>50</td>
<td>50</td>
</tr>
<tr>
<td>Rural Estate</td>
<td>5</td>
<td>80,000</td>
<td>35</td>
<td>35</td>
</tr>
<tr>
<td>Rural Residential</td>
<td>10</td>
<td>30,000</td>
<td>25</td>
<td>25</td>
</tr>
<tr>
<td>Restricted Residential</td>
<td>25</td>
<td>10,000</td>
<td>25</td>
<td>15</td>
</tr>
<tr>
<td>General Residential</td>
<td>40</td>
<td>4,000</td>
<td>20</td>
<td>15**</td>
</tr>
<tr>
<td>Multiple Residential</td>
<td>55</td>
<td>2,000</td>
<td>20</td>
<td>0</td>
</tr>
<tr>
<td>Neighborhood Shopping</td>
<td>90</td>
<td>2,000</td>
<td>20</td>
<td>0</td>
</tr>
<tr>
<td>Business</td>
<td>100</td>
<td>1,600</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Light Industrial</td>
<td>100</td>
<td>5,000</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Heavy Industrial</td>
<td>100</td>
<td>5,000</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Unrestricted Use</td>
<td>100</td>
<td>None</td>
<td>None</td>
<td>None</td>
</tr>
</tbody>
</table>

* A lot shall be of such shape as to encompass a rectangular area of at least twenty feet by forty feet exclusive of required yards.

** Except that building is permitted up to one interior lot line or each of two intersecting interior lot lines.
SCHEDULE D
REQUIRED OFF-STREET PARKING*

<table>
<thead>
<tr>
<th>Category</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Assembly Hall, Bowling Alley</td>
<td>3 per 300 square feet</td>
</tr>
<tr>
<td>Furniture Store - sales area</td>
<td>1 per 500 square feet</td>
</tr>
<tr>
<td>Hospital, Sanitorium</td>
<td>1 per 3 beds</td>
</tr>
<tr>
<td>Hotel (guest rooms only; add other uses extra), Rooming House</td>
<td>3 per 4 guest rooms</td>
</tr>
<tr>
<td>Office</td>
<td>1 per 200 square feet</td>
</tr>
<tr>
<td>Residential</td>
<td>1 per dwelling unit</td>
</tr>
<tr>
<td>Store (except furniture) - sales area</td>
<td>1 per 200 square feet</td>
</tr>
<tr>
<td>Theater or auditorium (including school auditoriums), church, funeral parlor</td>
<td>1 per 4 seats</td>
</tr>
<tr>
<td>Restaurant</td>
<td>1 per 3 seats</td>
</tr>
<tr>
<td>Trailer Park, Motel</td>
<td>1 per unit</td>
</tr>
<tr>
<td>All commercial and industrial uses not otherwise designated</td>
<td>3 per 4 employees</td>
</tr>
</tbody>
</table>

*No off-street parking is required in the Unrestricted Use Zone, or in the downtown core area bounded by 1st Avenue to 5th Avenue, Noble Street to Barnette Street and 1st Avenue to 3rd Avenue, Barnette Street to Wickersham.
Sec. 49.15.170. Zoning Officer. A Zoning Officer shall be designated by the Borough Chairman to administer this ordinance.

Sec. 49.15.180. Zoning Permits. A Zoning Permit shall be issued by the Zoning Officer before any excavation, construction or installation is started for a new structure or for modification of an existing structure which would result in a different use of the structure, an increase in the number of dwelling units in the structure, or in the size, height or location of the structure.

Sec. 49.15.190. Sign Permit. A Sign Permit shall be issued by the Zoning Officer prior to the installation of a sign, except those not exceeding six (6) square feet of sign area.

Sec. 49.15.200. Conditional Use Permits. Conditional Use Permits for uses conditionally permitted by Secs. 49.15.070 and 080 shall be issued only upon receipt of an affirmative recommendation from the Planning Commission. The Permit shall stipulate such conditions the Commission deems are required to maintain the integrity or character of the zone or adjacent zones. In any case where the conditions of the Permit have not been complied with, and after at least ten (10) days notice to the Permittee by the Zoning Officer, the Planning Commission may revoke such Permit.

Sec. 49.15.210. Special Exceptions. The Planning Commission may grant an increase or decrease, with or without conditions, in a numerical standard established by this ordinance if the application of that standard will deprive the applicant of use of his land or structure in a manner equivalent to the use permitted to be made by the owners of neighboring land or structures in the same zone.

Sec. 49.15.220. Amendments. This ordinance may be amended by the Borough Assembly, including changes in zone boundaries, upon recommendation by the Planning Commission or upon its own motion. The Planning Commission shall not recommend changing nor shall the Assembly change zone boundaries if more than 50% of the affected property owners object in writing to the proposed change. Requests by residents, owners or lessees for amendments shall be made in writing to the Planning Commission. Such a request shall state the area proposed for rezoning and shall contain the signatures of fifty (50) percent of the property owners within the area proposed for rezoning. Any area proposed for rezoning shall not contain any parcel owned by a person that comprises more than twenty-five (25%) percent of the total area in question unless the request contains the signature of said owner.

Sec. 49.15.230. Hearings. The Planning Commission shall hold a public hearing on every application for a Special Exception and on every application or proposal for a Zone Change or other change
in this ordinance; shall publish such notice in a newspaper of general circulation in the Fairbanks North Star Borough area at least 15 days prior to the date of the public hearing; shall render a decision on the application or proposal at or before the next regular meeting after the Public Hearing, and shall adopt a schedule of fees for the processing of such application or proposals. The Zoning Officer shall send a notice of the time and place of each hearing to all owners or lessees of record of land within two hundred feet of the lot for which the hearing is being held. The notice shall be sent by Certified Mail at least ten (10) days before the hearing.

Sec. 49.15.240. Board of Adjustment. The Board of Adjustment for matters in an incorporated city is the City Council. The Board of Adjustment for matters outside an incorporated city is the Borough Assembly.

Sec. 49.15.250. Appeals. Appeals from actions by the Zoning Officer or Borough Planning Commission or Fairbanks North Star Borough Assembly shall be to the Board of Adjustment. Appeals from actions by the Board of Adjustment shall be to the Superior Court. All appeals shall be in writing within thirty (30) days of the action appealed. Notice of the appeal shall be given in the manner provided by law. (Sections 29.10.237 and 29.10.240 Alaska Statutes).

Sec. 49.15.260. Violations. A complaint of a violation of this ordinance shall be filed in writing with the Zoning Officer. When such complaint is filed, the Zoning Officer shall, as soon as possible, investigate, take appropriate action, and file a report with the Borough Chairman.

Sec. 49.15.270. Penalties. Violation of the provisions of this ordinance shall constitute a misdemeanor. A person who violates this ordinance shall, upon conviction thereof, be fined not more than Five Hundred ($500) Dollars or imprisoned not more than Sixty (60) days, or both, and in addition shall pay all costs involved in the case. Each thirty (30) days such violation continues after the filing of a complaint in the District or Superior Court shall be considered a separate offense.

Sec. 49.15.280. Minimum Requirements. In their interpretation and application, the provisions of this ordinance shall be held to be minimum requirements. Wherever the requirements of this ordinance differ from the requirements of any other lawfully adopted rules, regulations or ordinances, the most restrictive or that most imposing the higher standards shall govern.

Sec. 49.15.290. Severability. Should any section or provisions of this ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the ordinance as a whole or any part thereof other than the part so declared to be unconstitutional or invalid.

-50-
Sec. 49.15.300. Repeal. All ordinances and parts of ordinances of the Fairbanks North Star Borough, heretofore adopted, that are inconsistent with any of the terms and provisions of this ordinance are hereby repealed to the extent of such inconsistency.
ORDINANCE NO. 88-010

A ZONING ORDINANCE PROVIDING REGULATIONS TO PROMOTE THE PUBLIC HEALTH, SAFETY, AND WELFARE, BY CLASSIFYING THE BOROUGH INTO DIFFERENT DISTRICTS AND REGULATING THEREIN THE LOCATION, CONSTRUCTION, RECONSTRUCTION, ALTERATION, AND USE OF BUILDINGS, STRUCTURES, AND LAND.

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. Title 18, Fairbanks North Star Borough Code of Ordinances, is hereby repealed and replaced by Title 18, Fairbanks North Star Borough Code of Ordinances, as set forth in Exhibit A hereto.

Section 3. The official Borough zoning map shall be amended as provided for in the zoning ordinance text.

Section 4. Effective Date. This ordinance shall be effective on April 25, 1988.


[Signature]
Presiding Officer

ATTEST:

[Signature]
Clerk of the Assembly
Chapter 18.02.000
COMPREHENSIVE PLAN

Sections:

18.02.010 Comprehensive Plan

18.02.010 Comprehensive Plan

This Ordinance is the regulation that implements the Fairbanks North Star Borough Comprehensive Plan, adopted in March, 1984. The Comprehensive Plan is a set of goal and policy statements and a map to guide the physical development of the Borough. In accordance with the Comprehensive Plan, the Borough Assembly shall guide and regulate the use of land through the adoption and enforcement of a Borough-wide zoning ordinance.

Annotation: Alaska Statutes require that the Borough have a comprehensive plan.

A.S. Title 29.40.030 Comprehensive Plan.

a. The Comprehensive Plan is a compilation of policy statements, goals, standards, and maps for guiding the physical, social, and economic development, both private and public, of the borough, and may include, but is not limited to, the following: statements of policies, goals, standards, the land use plan a community facilities plan, a transportation plan, and recommendations for implementation of the Comprehensive Plan.

b. With the recommendations of the planning commission, the assembly shall adopt by ordinance a comprehensive plan. The assembly shall, after receiving the recommendations of the planning commission, periodically undertake an overall review of the comprehensive plan and update the plan as necessary.
Chapter 18.04.000
GENERAL PROVISIONS

Sections:
18.04.010 Title
18.04.020 Purpose
18.04.030 Application of the Zoning Ordinance
18.04.040 Authority and Jurisdiction
18.04.050 Interpretation and Conflicts
18.04.060 Severability
18.04.070 Implementation

18.04.010 Title

The ordinance codified in this Title shall be known as the "Fairbanks North Star Borough [FNSB] Zoning Ordinance" except as referred to and cited herein, where it shall be known as "this Ordinance".

18.04.020 Purpose

The purposes of this Ordinance are to give effect to the Fairbanks North Star Borough Comprehensive Plan heretofore duly adopted and approved and to regulate public health, safety and welfare.

This Ordinance is also intended to promote the public health, safety, and general welfare of the residents of the Borough, and safety from fire and to promote the efficient distribution of water, sewage, schools, parks, and other public requirements; to provide safe traffic flow on the public streets; and to divide the Borough into districts.

18.04.030 Application of the Zoning Ordinance

All property, except that property exempted by law, shall be governed according to the zoning district in which it is located.

Within each zoning district, the regulations and restrictions set forth in this ordinance shall be deemed the minimum regulations and restrictions and shall apply uniformly to each class or kind of use, building structure, or land.

Except as otherwise provided herein, no building, structure, or land shall be used or occupied and no building or structure or part thereof shall be erected, moved, or altered unless in conformity with the regulations specified for the zone in which it is located. Structures and land use that becomes nonconforming as a result of implementation of this ordinance shall have grandfather rights.

18.04.040 Authority and Jurisdiction

This Ordinance is enacted to establish and carry into effect the several powers, duties, and privileges conferred upon the Fairbanks North Star Borough by Title 29, Alaska Statutes.

18.04.050 Interpretation and Conflicts

It is not intended by this Ordinance to interfere with or abrogate and annul any ordinance, rules, regulations, or permits previously adopted or issued and not in conflict with any of the provision of this Ordinance, or which shall be adopted or issued pursuant to law relating to the use of buildings or land, and likewise not in conflict with this Ordinance. It is not intended by this Ordinance to interfere with or abrogate and annul any easement, covenants, or other agreements between any persons.
18.04.060 Severability

If any section or part hereof is for any reason declared unconstitutional or invalid, the validity of the remaining portions hereof shall not be affected.

18.04.070 Implementation

Upon adoption of this Ordinance, the following changes shall be made to the Official Zoning Map. Land zoned O, Holding prior to the adoption of this Ordinance, shall become zoned to the largest contiguous zoning district. Grandfathering of all land uses shall take precedent when a conflict arises.

Zoning Districts in Effect
Prior to the Adoption of this Ordinance

<table>
<thead>
<tr>
<th>Zoning Districts and/or Overlay Zones as Provided by this Ordinance</th>
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<tbody>
<tr>
<td>QR, Outdoor Recreation..................................................................QR, Outdoor Recreation</td>
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<tr>
<td>CA-40, General Agriculture.........................................................RA-40, Rural and Agricultural</td>
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<td>CA-20, General Agriculture.........................................................RA-20, Rural and Agricultural</td>
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<td>CA-10, General Agriculture.........................................................RA-10, Rural and Agricultural</td>
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<td>CA, General Agriculture...............................................................RA-5, Rural and Agricultural</td>
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<td>RE-LAI, Rural Estate .................................................................RE-E, Rural Estate</td>
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<td>RE, Rural Estate............................................................................RE-E, Rural Estate</td>
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<tr>
<td>REI-LAI, Rural Estate I.........................................................RE-I, Rural Estate with MHS, Mobile Home Subdivision Overlay</td>
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<td>REI-LAI, Rural Estate I.........................................................RE-I, Rural Estate with MHS, Mobile Home Subdivision Overlay</td>
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<td>RE-I, Rural Estate I.................................................................RE-I, Rural Estate</td>
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<td>RRI, Rural Residential I...........................................................RR, Rural Residential</td>
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<tr>
<td>R1-I, Restricted Residential I..................................................SI-20, Single-Family Residential</td>
</tr>
<tr>
<td>R1-II, Restricted Residential II..................................................SI-10, Single-Family Residential</td>
</tr>
<tr>
<td>R2, General Residential...........................................................TF, Two-Family Residential</td>
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<tr>
<td>R3-I, Multiple Residential I..................................................MF, Multiple-Family Residential</td>
</tr>
<tr>
<td>R3-II, Multiple Residential II..................................................MF, Multiple-Family Residential</td>
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<tr>
<td>R4, Residential Office..............................................................MPO, Residential/Professional Office</td>
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Chapter 18.06.000
DEFINITIONS

Sections:
18.06.010 Definitions

18.06.010 Definitions

A. Rules of Construction. The language set forth in the text of this Ordinance shall be interpreted in accordance with the following rules of construction:

1. Words used in the present tense shall include the past and future tenses;
2. All references to the singular include the plural as well;
3. The word "shall" is mandatory and not discretionary;
4. The word "may" is permissive;
5. The word "person" shall include a corporation or partnership as well as an individual;
6. The masculine gender shall include the feminine and neuter genders;
7. The word "lot" shall include the words "plot", "parcel", or "tract";
8. The word "building" shall include the word "structure";
9. Any words not defined herein shall be construed according to their generally accepted meanings.

B. Definitions. For the purpose of this Ordinance, the words and terms defined herein shall be defined and interpreted as follows:

1. Abut or abutting. To have a common property line or zoning district line.
2. Access. A means of vehicular or pedestrian approach, entry to, or exit from property.
3. Accessory Use. See "Use, Accessory".
4. Adequate. Sufficient and/or satisfactory in terms of public health and safety requirements.
5. Adjacent. Touching or contiguous.
6. Agri-business. A business directly related to and supportive of an agricultural use as defined herein.
7. Agriculture. The cultivation of the soil, the growing of crops and/or plants, animal and poultry husbandry, dairying, grazing, and accessory uses customarily incidental to agricultural activities.
8. Agriculture, commercial. Conducting the business of agriculture with the intent to sell the products of the enterprise for profit.
9. Airport, heliport, and aircraft landing fields. A tract of land or a structure, and requisite clear zone, used or intended for use for the landing and take-off of private and commercial aircraft, together with all buildings and structures normally associated with such use including, but not limited to, accessory hangars, control towers, and accommodations for passengers and cargo.
10. Alley. A right-of-way designed and intended to provide a secondary means of public access to abutting properties and not intended for general traffic circulation.

11. Alteration. Any change in size and shape of a building or structure.

12. Amusement establishment. A building or structure which may offer a variety of recreational facilities including, but not limited to, pool halls, miniature golf courses, driving ranges, amusement parks, skating rinks, electronic game rooms, and bowling alleys.

13. Animal boarding facility. A building, structure, or out-of-doors area in which animals are kept, whether or not for consideration.

14. Animal hospital or clinic. A building or structure used for the care, observation, and treatment of animals.

15. Appeal. A means for obtaining review of a decision, determination, order, or failure to act pursuant to the terms and provisions of this Ordinance.

16. Auditorium. A building or structure designed or intended for use for the gathering of people as an audience to hear music, lectures, plays, and other presentations.

17. Automobile car wash. A building or portion thereof where automobiles and trucks are washed and/or polished using a conveyor, blower, steam-cleaning equipment, or other mechanical devices of a production line nature, or such equipment of a wholly self-service nature.

18. Automobile and motor vehicle sales. A building or an open area used for the display, sale, or rental of new or used automobiles or other motor vehicles.

19. Automobile service station. A building or portion thereof where gasoline, diesel fuel, and other automobile fuels or oils are offered for sale directly to the public and where minor automobile service and repair such as tune-ups, oil change, winterization, and repairs may be offered. Automobile service stations do not include automobile sales, automobile service and repair, and junkyards as defined herein.

20. Automobile service and repair. A building or portion thereof designed or used for major servicing, repairing, and equipping such as body and fender repair, engine rebuilding, and painting of automobiles, but not including junkyards as defined herein.

21. Bed and breakfast. A dwelling having not more than three (3) rooms used to provide sleeping accommodations on a commercial basis.

22. Bedroom. A room marketed and/or designed to function primarily for sleeping by humans.

23. Boarder. An individual other than a member of the family occupying the dwelling unit or a part thereof who, for a consideration, is furnished sleeping accommodations and may be furnished meals or other services in return for consideration.

24. Building. A structure built for the support, shelter, or enclosure of persons, animals, chattel, or property of any kind. A building shall include such extended structures as arctic entries, balconies, carports, decks, exterior stairways, garages, porches, wainwagons, and windows. Where independent units with separate entrances are not joined by a common wall and/or ceiling or floor, each unit shall be considered as a separate building. This definition does not include a fence.

25. Building, accessory. A building which is subordinate to and serves a principal building or use. An accessory building is subordinate in extent and/or purpose to the principal building or use and contributes to the comfort, convenience, and/or necessity of the occupants of the principal building or use being served.
26. Building, conforming. A building or structure which complies with all of the regulations of this Ordinance or any amendment thereto and is designed or intended for a use allowed in the zoning district in which it is located.

27. Building height. The vertical distance of a building measured from the average elevation of the finished grade within five (5) feet of the building to the highest point of the building.

28. Building, nonconforming. A building or structure the size, dimension, or location of which was lawful prior to the adoption, revision, or amendment to this Ordinance, but fails by reason of the adoption, revision, or amendment, to conform to the present requirements of the zoning district in which it is located.

29. Building, principal. A building in which is conducted the principal use of the lot on which it is located.

30. Building, temporary. Any building not designed or intended to be permanently located, placed, or affixed in the place where it is located.

31. Cemetery. A parcel of land, used whole or in part, for four (4) or more interred bodies of deceased persons or animals and for the erection of customary markers, monuments, and mausoleums.

32. Church buildings. Buildings and accessory structures and land uses which are primarily intended for conducting regularly scheduled religious services, and associated accessory uses such as convents, monasteries, rectories, day care, schools, or other religious educational uses. This definition is not intended to include home worship, Bible study, or other similar activities which are permitted as accessory uses of residential dwelling units.

33. Club or lodge. A building, along with accessory structures and facilities, which is designed or primarily intended to accommodate an association of persons and in which the buildings, structures, and facilities are limited and restricted to members and their guests. This definition does not include home meetings or other similar activities.

34. Commercial. A land use or business enterprise engaged in the buying and/or selling of goods and/or services.

35. Comprehensive plan. A composite of the Fairbanks North Star Borough (FNSB) Comprehensive Plan, all accompanying maps, charts, and explanatory material adopted by the FNSB Assembly, and all amendments thereto.

36. Constitution, U.S. Fifth Amendment requires compensation to be paid land owner when denied land use, i.e., eminent domain.

37. Convenience establishment. A commercial enterprise designed and intended to serve daily or frequent shopping or service needs of the immediate surrounding population. Automobile service stations and repair garages are specifically excluded from this definition. Retail sale of gasoline as an accessory use is included in this definition.

38. Court. A space, open and unobstructed to the sky, located at or above grade level on a lot and bounded on three (3) or more sides by walls of a building.

39. Day care facility. A home or institution used and maintained to provide care for seven (7) or more individuals unrelated to the care provider.

40. Dormitory. A building used as group living quarters for students, members of a religious order, or employees, as an accessory use for a college, university, boarding school, orphanage, convent, monastery, other institutional use, or industrial use.
41. Duplex. See "Dwelling, two-family attached."

42. Dwelling. A building or portion thereof designed or used exclusively for residential purposes, but not including hotels, motels, guest rooms, boarding homes, group homes, nursing homes, mobile homes, or trailers.

43. Dwelling, attached. A dwelling unit which is attached to another dwelling unit by a common wall or vertical cavity wall extending from the floor to the ceiling and from exterior wall to exterior wall, or by a horizontal structural floor extending from exterior wall to exterior wall, except for a common stairwell exterior to the dwelling units.

44. Dwelling, detached. A dwelling unit which is entirely surrounded by open space on the same lot and not connected in any manner to another dwelling.

45. Dwelling, multiple-family. One (1) building consisting of three (3) or more dwelling units, each of which is attached to at least one other dwelling unit, by a common wall or vertical cavity wall extending from the ground to the roof and from exterior wall to exterior wall, or by a horizontal structural floor extending from exterior wall to exterior wall, except for a common stairwell exterior to the dwelling unit.

46. Dwelling, single-family detached. A detached dwelling designed for and intended for use by one family.

47. Dwelling, two-family attached. One (1) building consisting of two (2) dwelling units attached by a common wall or vertical cavity wall extending from the floor to the ceiling and from exterior wall to exterior wall, or a horizontal structural floor extending from exterior wall to exterior wall, except for a common stairwell exterior to both dwelling units.

48. Dwelling unit. A room or group of rooms constituting all or part of a dwelling which are arranged, designed, used, or intended for use exclusively as living quarters for one (1) family, including washing, sleeping, cooking, and eating facilities. This definition includes a manufactured home but not a mobile home.

49. Efficiency unit. A dwelling unit containing only one (1) habitable room, sometimes referred to as a studio apartment.

50. Fairgrounds. An open space or exhibition facility where at regular intervals there is entertainment, amusement facilities, educational displays, the barter and sale of goods, and exhibition, often competitive, of farm, household, international and manufactured products.

51. Family. An individual, or two (2) or more persons related to each other by blood, marriage, adoption or other means of legal custody, or a group of not more than four (4) persons not all so related, together with his or their domestic servants, living in a dwelling unit. A family may include, in addition, not more than two (2) boarders, roomers, or permanent guests, whether or not gratuitous.

52. Fence. An artificial barrier of any material or combination of materials erected to enclose or screen areas of land excluding vegetation.

53. Flood hazard area. Those areas contained within the 100-year floodplain which is designated as Flood Zone A on the most current FNSB Flood Insurance Rate Map.

54. Floor area, gross. The horizontal area of a floor or several floors of a building or structure measured from the exterior faces of exterior walls. Where a building or structure is not wholly surrounded by exterior walls, the gross floor area shall be that area between the vertical projection of the roof or floor above.
55. Floor area, net. The horizontal area of a floor or several floors of a building or structure measured from the interior faces of exterior walls, excluding those areas not directly devoted to the principal or accessory use of the building or structure such as storage areas, stairwells, elevator shafts, courts, etc.

56. Garage. A building or structure, or part thereof, used or designed to be used for the parking and storage of vehicles.

57. Garage, repair. Any building or premises which is designed and used for the purposes of performing major automotive mechanical repairs or body work and other customary and incidentally related activities.

58. Grade, finished. The lowest point of elevation of the finished surface of the ground, paving, or sidewalk, within five (5) feet from the building.

59. Grade. The rate of rise or descent of a sloping surface.

60. Grandfather rights. See "Building, nonconforming", "Lot, nonconforming", and "Use, nonconforming".

61. Group home. A residential facility located in a dwelling or other structure intended for human habitation, the principal use of which is to serve as a place for persons seeking, in a family setting, rehabilitation or recovery from any physical, mental, emotional, or legal infirmity, as part of a group rehabilitation and/or recovery program utilizing counseling, self-help, or other treatment or assistance.

62. Guest house. An accessory building, designed as a detached dwelling unit subordinate in size to and located on the same lot as the principal single-family detached dwelling it serves.

63. Hazardous substances. Substances as defined in Section 18.50.120 of this Ordinance.

64. Home occupation. A business, profession, occupation, or trade located entirely within a dwelling unit or a dwelling unit's accessory building, which is accessory, incidental, secondary, and subordinate to the residential use of the dwelling unit and does not change the essential residential character or appearance of such building or neighborhood in which it is located.

65. Hospital and clinic. An institution providing health services and medical or surgical care to persons, primarily inpatients, suffering from illness, disease, injury, deformity, and other abnormal physical or mental conditions, and may include as an integral part of the institution, related facilities such as laboratories, outpatient facilities, or training facilities.

66. Hostel. Generally known as "youth hostel", a place where travelers may stay for a limited duration, as recognized by the International Hostel Association.

67. Hotel. A facility having more than three (3) rooms where transient lodging accommodations are offered to the general public, and where additional services such as restaurants, meeting rooms, and recreational facilities may be provided.

68. Junk. Worn out, dismantled, inoperable, or wrecked aircraft, vehicles or machinery, mobile homes or trailers, appliances or furniture, scrap building materials, metals, rubber, paper, plastic, or other scrap or discarded materials.
69. Junkyard. The use of more than one thousand (1,000) square feet of a lot or parcels under common ownership for a salvaging operation, including but not limited to, the storage or sale of junk; or the collection, dismantlement, storage, or salvage of four (4) or more unlicensed or inoperative vehicles. This definition does not include: 1) those unlicensed or inoperative vehicles that are not dismantled, salvaged, or otherwise in a state of disrepair and which are totally obscured from view from adjacent property at all times of the year; and 2) those unlicensed and operative vehicles which are used in the normal course of business on the property on which they are stored.

70. Kennels, minor. A lot on which no fewer than five (5) and no more than twenty-four (24) dogs or cats, six (6) months of age and older, are maintained out-of-doors or in unheated buildings.

71. Kennels, major. A lot on which more than twenty-four (24) dogs or cats, six (6) months of age and older, are maintained out-of-doors or in unheated buildings.

72. Livestock, commercial. Any quantity of farm animals kept with the intention of selling related goods and/or services.

73. Livestock, domestic. Any quantity of farm animals raised and/or kept for personal use or for occasional competitive use (i.e., 4H, FFA, etc.).

74. Lot. A parcel of land, established by plat, subdivision, or otherwise permitted by law, adequate for occupancy by a use allowed herein, providing yards, buildable area, and off-street parking as required herein.

75. Lot area. The area of a horizontal plane bounded by the vertical planes through front, side, and rear lot lines.

76. Lot, corner. A lot of which at least two (2) adjacent sides abut, for their full length, upon intersecting streets, provided that the interior angle at the intersection of such two (2) adjacent sides is less than one hundred thirty-five (135) degrees.

77. Lot depth. The average horizontal distance between the front lot line and the rear lot line, measured within the lot boundaries. For purposes of this definition, on corner lots the front lot line shall be that front lot line with the shortest dimension.

78. Lot, interior. A lot other than a corner lot.

79. Lot lines. The property lines bounding a lot.

80. Lot line, front. A lot line abutting the right-of-way or easement of a public or private street or road.

81. Lot line, rear. A lot line which is most distant from and is approximately parallel to the front lot line.

82. Lot line, side. A lot line which is not a front lot line or a rear lot line.

83. Lot, nonconforming. A lot, the area, dimensions and/or location of which was lawfully established prior to the adoption, revision, or amendment of this Ordinance, but by reason of such adoption, revision, or amendment fails to conform to the present requirements of the zoning district in which it is located.

84. Lot width. The horizontal distance between the side lot lines of a lot measured within the lot boundary along the line established as the minimum required front yard for the zoning district in which the lot is located.

85. Lot, zoning. A parcel or contiguous parcels of land designated by its owner or developer as a tract to be used, developed, or built upon as a unit under single ownership or control. A "zoning lot" may or may not coincide with a "lot".
86. Manufactured home. A dwelling unit designed for long-term human habitation and having complete living facilities, all parts and systems being fabricated and assembled at a factory into at least two (2) finished, transportable components which are designed to be temporarily attached to a wheeled carriage for transportation to building site and then joined for use on a permanent foundation.

87. Mineral lands. Those lands with known economic mineral values, or which, through geologic inference, are suspected to have economic mineral values which are locatable, leasable, and saleable according to state law.

88. Mini storage. A building or group of buildings that contains varying sizes of individual, compartmentalized, and controlled access stalls or lockers for the storage of a customer's goods or wares.

89. Mining. The taking from the ground, for commercial use or processing of ore, metallic and nonmetallic rock, or other inorganic material, or coal.

90. Mobile home. A dwelling unit built on a chassis, with a body width not less than eight (8) feet and a body length not less than thirty-two (32) feet, designed to be used as a dwelling, with or without a permanent foundation.

91. Mobile home park. Any parcel or parcels, under single ownership or control, with spaces designated for long-term residential use and intended for rent or lease exclusively for the occupancy of three (3) or more mobile homes.

92. Mobile home subdivision. A tract of land, subdivided into lots, designated and developed for long-term residential use and intended for sale where the residences may be comprised of mobile homes.

93. Motel. A facility having more than three (3) rooms where transient lodging accommodations are offered to the general public with at least twenty-five (25) percent of all rooms having direct access to the outside without the necessity of passing through the main lobby of the building. A motel may also provide additional services such as restaurants, meeting rooms, and recreational facilities.

94. Motor and rail freight terminal. A building, structure, or premises where goods are transferred from a truck or train to a storage area or to other trucks or trains, or picked up by other forms of transportation.

95. Multi-family residence. See "Dwelling, multiple-family."

96. Natural resource extraction. Commercial or industrial operations involving removal of timber, native vegetation, peat, muck, topsoil, fill, sand, gravel, or any other operations having similar characteristics.

97. Neighborhood dumpster. A container intended for use by neighborhood residents as a depository and collection point for solid waste generated by households.

98. Occupancy. The purpose for which a building, structure, or parcel of land, or part thereof, is used or intended to be used.

99. Off-street. An area located entirely outside of the dedicated right-of-way of a street or alley.

100. Outside storage. The collection of materials whether a principal or accessory use of a lot, that is open to the air and under the sky. This definition does not include the collection of materials defined as a junkyard.

101. Owner. A person holding title to a parcel or lot in accordance with the records of the Office of the District Recorder.
102. Parking lot. A private, commercial, or public off-street parking facility or area.

103. Permanent foundation for a manufactured home. A foundation under a manufactured home which is necessary for the support of the manufactured home placed upon it.

104. Petro-chemical plant. A building, structure, or premises where the extraction of petro-chemicals from natural gas or crude oil and the processing of those petro-chemicals into commercially marketable products occurs.

105. Playground. An outdoor area set aside for recreation on an individual basis, not for team sports.

106. Playing field. An outdoor recreational area for team sports designed to accommodate two or more teams engaged in athletic competition.

107. Professional office. An enterprise, organization, or place where consulting, record keeping, and the work of a person or persons in the following occupations is done:
   a. Accountants, auditors, tax experts;
   b. Audio recording studios;
   c. Architects, engineers, surveyors;
   d. Consulting services;
   e. Doctors, dentists, psychologists, optometrists, chiropractors;
   f. Geologists, geophysicists;
   g. Insurance offices;
   h. Laboratory technicians and laboratories, excluding outdoor living facilities for animals;
   i. Lawyers;
   j. Messenger, telegraph, telecommunications, answering services;
   k. Photography studios;
   l. Public typists, stenographers, court reporters;
   m. Real estate brokers, appraisers, abstractors;
   n. Stock brokers;
   o. Other professional office uses comparable and similar in operation, appearance, conduct, and occupation as those listed above.

108. Public dumping site. A site, containing one or more neighborhood dumpsters, intended for use by the general public as a depository and collection point for solid waste generated by household.

109. Recreation building or community center. A building or group of buildings offering recreational facilities including, but not limited to, gymnasiums, swimming pools, ice rinks, exercise facilities, meeting rooms, and clubs, as distinguished from private clubs or lodges.

110. Rooming house. A dwelling unit or portion thereof, other than a hotel, motel, or guest room, in which lodging is provided by the owner or operator to five (5) or more boarders for consideration.

111. Sanitary landfill. An area of land used for final disposal of solid waste in a manner approved by the Alaska Department of Environmental Conservation.
112. School buildings. Buildings, except church buildings as defined, used primarily for teaching and instruction on a daily basis as its primary use, including elementary and secondary schools and colleges.

113. Setback. See "Yard, required."

114. Sewer and water system, community. A publicly-regulated sewer and water utility system which provides for sewage disposal and potable water distribution and is operated by the City of Fairbanks, City of North Pole, or College Utilities Corporation.

115. Shooting and archery range. A building or parcel of land used, or intended to be used, for the discharge of pistols, rifles, bows, or other armaments for purposes of practice or competition by a group of persons. This definition is not intended to include private sighting ranges used by individuals which are permitted as accessory uses of residential dwelling units.

116. Shopping center. A group of commercial establishments planned, constructed, developed, and managed as a unit with off-street parking provided on site.

117. Sign. Any object, device, display, or structure, or part thereof, situated outdoors or indoors, used to advertise, identify, display, direct, or attract attention to an object, person, institution, organization, business, product, service, event, or location by any means, including words, letters, figures, design, symbols, fixtures, colors, illumination, or projected images.

118. Sign, animated or moving. Any sign or part of a sign which changes physical position by any movement or rotation or which gives the visual impression of such movement or rotation.

119. Sign area. The entire face or display surface of a sign including the advertising surface and any framing, trim or molding, but not including the supporting structure.

120. Sign, directional. Signs limited to directional messages, principally for pedestrian or vehicular traffic, such as "one-way," "entrance," and "exit."

121. Sign, flashing. Any directly or indirectly illuminated sign, other than a sign that displays time and temperature, which exhibits changing natural or artificial light or color effects by any means whatsoever.

122. Sign, identification. Any signs displaying the address or combination of names and address of occupants of premises, and not advertising any business.

123. Sign, illuminated. Any sign illuminated in any way by an artificial light source.

124. Sign, menu. A permanently mounted sign displaying the bill of fare of a drive-in or drive-thru restaurant.

125. Sign, nonconforming. Any sign which was lawfully established prior to the adoption, revision, or amendment to this Ordinance, but which fails, by reason of such adoption, revision, or amendment, to conform to the requirements of the zoning district in which it is located.

126. Sign, political. A temporary sign announcing or supporting political candidates or issues in connection with any national, state, or local election.

127. Sign, portable. A temporary sign that is not permanently affixed to a building, structure, or the ground.

128. Sign, price. A permanently mounted sign displaying the cost of fuel on the premises of an automobile service station or other establishment which dispenses fuel.
129. Sign, real estate. A sign pertaining to the sale, rent, or lease of a premises, or a portion of a premises, on which the sign is located.

130. Sign, roof. A sign that is mounted on the roof of a building and is wholly dependent upon a building for support.

131. Sign, temporary. A sign or advertising display designed or intended to be displayed for a period of time not to exceed two (2) months and which has no flashing or animated parts.

132. Sign, time or temperature. Any sign or elements of a sign which are intended to indicate no more information than the current time, the current temperature, or both.

133. Single-family residence. See "Dwelling, single-family detached."

134. Solid waste processing facility. A facility designed for the processing or treatment of solid waste, other than for just temporary storage, prior to final disposal of the solid waste.

135. Street, road, or highway. A public or private right-of-way which is designated as a permanent right-of-way for common use as the primary means of vehicular access to properties abutting it.

136. Structure. See "Building."

137. Supreme Court, U.S. The decisions on land use and uses, to which the Borough will conform.

138. Travel trailer. Any vehicle or similar portable structure used or intended to be used as transient living or sleeping quarters for humans and which may be driven, towed, or propelled from one location to another without change in structure or design, whether or not the same is supported by wheels.

139. Trailer park. A parcel of land used for the parking of two (2) or more travel trailers occupied or intended to be occupied on the parcel.

140. Transfer station. A facility, located within a permanent building, designed to be used as a central solid waste depository and collection point for a sub-region.

141. Use. The purpose for which land and/or a building is arranged, designed, intended, occupied, or maintained.

142. Use, accessory. A use which is clearly and customarily incidental and subordinate to the principal use of a building or premises and which is located on the same zoning lot as the principal use or building.

143. Use, conditional. A use that has unusual operational, physical, or other characteristics that are different from those of the permitted uses in a zoning district, but which is a use that can complement or be made compatible with the intended overall development within a zoning district. A conditional use may locate in a zoning district only if it meets the conditions and limitations as set forth by this Ordinance and other ordinances and if it meets the conditions and limitations as set forth as a result of a required public hearing.

144. Use, conforming. The use of a building or premises which complies with all of the applicable use regulations of the zoning district in which said building or premises is located.

145. Use, nonconforming. A use which was lawfully established prior to the adoption, revision, or amendment of this Ordinance, but which fails, by reason of such adoption, revision, or amendment, to conform to the present requirements of the zoning district in which it is located.

146. Use, permitted. Any use of a building or premises which is or may be lawfully established in a particular zoning district, provided it conforms with all requirements and regulations of this Ordinance for the zoning district in which such use is or proposed to be located.
147. Use, principal. The main, major, and dominant use of a building or premises as distinguished from an accessory use.

148. Use, similar and comparable. Those uses or activities which may exist within the same zoning district, not otherwise prohibited in that zoning district, which are alike in general appearance or nature and do not create a physical or social impact within the zoning district different than other permitted uses.

149. Variance. A departure from the numerical standards of this Ordinance.

150. Wall, common. An interior wall that separates and distinguishes two (2) or more uses located in the same building or structure. A common wall extends from floor to ceiling and from exterior wall to exterior wall and shall not be less than ten (10) feet in length.

151. Wall, exterior. A wall fully exposed to the air and which forms the perimeter of a building or structure. Where a building or structure is not wholly surrounded by exterior walls, then the exterior wall shall be considered as the vertical projection of the roof or floor above. The definition does not include those exterior walls which, because of an offset design, are an extension of a two-family or multiple-family attached dwelling's common wall.

152. Wall, interior. A wall located wholly within a building or structure which separates different rooms and/or uses of said building or structure, as distinguished from an exterior wall.

153. Yard. An open space on the same zoning lot with a principal building or group of buildings, which is unoccupied and unobstructed from its lowest level upward, except as otherwise permitted in this Ordinance, and which extends parallel to a lot line to a depth or width, measured at a right angle from said lot line, specified in the minimum required yard regulations for the zoning district in which the zoning lot is located.

154. Yard, front. A yard which is bounded by both: 1) a zoning lot's side lot lines and the front lot line or the front lot line and the rear lot line if on a corner lot; and 2) a line parallel to the front lot line located at a depth being the minimum allowable distance from any exterior wall of any principal buildings or structures to the front lot line as specified in the minimum required front yard regulations of the zoning district in which the zoning lot is located.

155. Yard, rear. A yard which is bounded by both: 1) a zoning lot's side lot lines and the rear lot line or the front lot line and the side lot line if on a corner lot; and 2) a line parallel to the rear lot line located at a depth being the minimum allowable distance from any exterior wall of any principal buildings or structures to the rear lot line as specified in the minimum required rear yard regulations of the zoning district in which the zoning lot is located.

156. Yard, side. A yard which is bounded by a zoning lot's side lot line, the required front yard line, the required rear yard line, and a line parallel to the side lot line located at a width being the minimum allowable distance from any exterior wall of any principal buildings or structures to the side lot line as specified in the minimum required side yard regulations of the zoning district in which the zoning lot is located.

157. Zero lot line home. The location of a dwelling unit on a lot in such a manner that one or more of the dwelling unit's exterior walls lies directly on a lot line without any yard between the exterior wall and the lot line.

158. Zoning district. A portion of the Fairbanks North Star Borough within which certain uniform uses are permitted and within which other uniform restrictions as to size, bulk, and location of buildings and structure are imposed by this Ordinance.
Chapter 18.08.000
ZONING DISTRICT DESIGNATIONS

Sections:
18.08.010 Establishment of Zoning Districts
18.08.020 Official Zoning Map
18.08.030 Boundaries

18.08.010 Establishment of Zoning Districts

In order to fulfill the purposes of this Ordinance, the Fairbanks North Star Borough is divided into the following zoning districts which are listed in order from the highest and most restrictive district to the lowest and least restrictive district:

<table>
<thead>
<tr>
<th>Code</th>
<th>Description</th>
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<tbody>
<tr>
<td>OR</td>
<td>Outdoor Recreational</td>
</tr>
<tr>
<td>RA-40, RA-20, RA-10, RA-5</td>
<td>Rural and Agricultural</td>
</tr>
<tr>
<td>RF-4, RF-2</td>
<td>Rural Farmstead</td>
</tr>
<tr>
<td>RE-4, RE-2</td>
<td>Rural Estate</td>
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<tr>
<td>RR</td>
<td>Rural Residential</td>
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<tr>
<td>SF-20, SF-10, SF-5</td>
<td>Single-Family Residential</td>
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<tr>
<td>TF</td>
<td>Two-Family Residential</td>
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<tr>
<td>MF</td>
<td>Multiple-Family Residential</td>
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<tr>
<td>MFQ</td>
<td>Multiple Family Residential/Professional Office</td>
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<tr>
<td>LC</td>
<td>Light Commercial</td>
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<td>GC</td>
<td>General Commercial</td>
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<tr>
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<td>Central Business District</td>
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<tr>
<td>LI</td>
<td>Light Industrial</td>
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<tr>
<td>HI</td>
<td>Heavy Industrial</td>
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<tr>
<td>ML</td>
<td>Mineral Lands</td>
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<tr>
<td>GU-1</td>
<td>General Use</td>
</tr>
</tbody>
</table>

Any references to a sequence of zoning districts mentioned herein shall be in the order as set forth above.

18.08.020 Official Zoning Map

The location and boundaries of the zoning districts established by this Ordinance are set forth on the Official Zoning Map hereby adopted by this reference and declared to be an official record and a part of this Ordinance.

A. Regardless of the existence of purported copies of the Official Zoning Map, which may from time to time be made or published, the Official Zoning Map of the Fairbanks North Star Borough shall be that map located in the office of the Department of Community Planning of the Fairbanks North Star Borough, and which shall be the final authority, as defined by Ordinance, as to the current zoning status of all lands, water areas, buildings, and structures in the Fairbanks North Star Borough.

B. Whenever amendments or changes are made in zoning district boundaries and/or classifications, such amendments or changes shall be promptly made on the Official Zoning Map with reference made to the ordinance number and effective date of said change or amendment.

C. Changes of any kind shall not be made on the Official Zoning Map except in conformance with the procedures set forth in this Ordinance. Any unauthorized change of any kind by any person or party shall be a violation of this Ordinance and punishable as provided herein.

D. In the event that the Official Zoning Map becomes damaged, destroyed, lost, or difficult to interpret because of the nature or number of changes and amendments thereto, the Borough Assembly may adopt a new Official Zoning Map which shall supersede the prior Official Zoning Map. Unless the prior Official Zoning Map is lost or has been totally destroyed, the significant parts of that map remaining after partial destruction shall be preserved together with all records regarding its adoption and/or amendment.
18.08.030 Boundaries

Whenever uncertainty exists with respect to the boundaries of the various zoning districts as shown on the Official Zoning Map and unless otherwise specified, the following rules shall apply:

A. The zoning district boundary lines shall be: the centerline of either a street, alley, or railroad right-of-way; the centerline of an easement; the thread of a stream, slough, or river; or the boundary lines of sections, divisions of sections, tracts, blocks, or lots; or such lines extended as otherwise indicated.

B. Where a zoning district boundary line is indicated as approximately following the centerline of either a street, alley, or railroad right-of-way; the centerline of an easement; the thread of a stream, slough, or river; or the boundary lines of sections, divisions of sections, tracts, blocks, or lots; then said line shall be construed to be the zoning district boundary.

C. Where a zoning district boundary line is indicated as being approximately parallel to the centerline of either a street, alley, or railroad right-of-way; the centerline of an easement; the thread of a stream, slough, or river; or the boundary lines of sections, divisions of sections, tracts, blocks, or lots; then the zoning district boundary line shall be construed as being parallel thereto and at a distance determined by the use of the scale shown on the Official Zoning Map.

D. Where a zoning district boundary line is not indicated as provided herein, and where a zoning district boundary line divides a piece of property that may later be subdivided into new tracts, blocks, and/or lots, the zoning district boundary line shall be construed to include the new tract, block, and/or lot in their entirety if they have more than fifty (50) percent of their land area within that zoning district boundary line.

E. Whenever any street, alley, or railroad right-of-way, or easement is vacated as provided by law, then the zoning district adjoining each side of such street, alley, or railroad right-of-way, or easement shall be automatically extended to the center of such vacation, and the area included in the vacation shall be subject to the regulations of the extended zoning districts.

F. A zoning district boundary line indicated as approximately following the thread of a stream, slough, or river shall automatically move as the stream, slough, or river changes its water course.
Chapter 18.10.000
OR OUTDOOR RECREATIONAL DISTRICT

Sections:

18.10.010 Intent
18.10.020 Use Regulations
18.10.030 Standards

18.10.010 Intent
This district is intended to protect outdoor recreational uses on public lands only unless specifically requested by the property owner.

18.10.020 Use Regulations
A. Permitted Uses. In the OR, Outdoor Recreational district, permitted uses are:
   1. Accessory uses;
   2. Boat docking facilities;
   3. Campgrounds;
   4. Convention, exhibition, and civic centers, and auditoriums;
   5. Corrals and hitching posts;
   6. Domestic livestock;
   7. Downhill skiing facilities and related buildings;
   8. Golf courses and related buildings;
   9. Hockey rinks, outdoor;
   10. Nature centers and related buildings;
   11. Playfields;
   12. Playgrounds;
   13. Recreational open space;
   14. Shooting and archery ranges;
   15. Stadiums, arenas, and fairgrounds;
   16. Warming huts
   17. Watersports facilities;
   18. Zoos and animal parks.

B. Conditional Uses. In the OR, Outdoor Recreational district, conditional uses are:
   1. Organized trail facilities and related buildings, as a principal use;
2. Public utility and service uses including, but not limited to: fire stations, transfer stations, neighborhood dumpsters, public dumping sites, electric substations, gas regulator stations, antenna towers and other outdoor equipment essential to the interest of public convenience and necessity, commercial radio and television towers, sewage treatment plants, well and water pumping stations, water filtration plants, water reservoirs, and other similar uses. These uses do not include the installation and maintenance of utility lines which are permitted uses in all zoning districts;

3. Travel trailer parks.

18.10.030 Standards

In the OR, Outdoor Recreational district, geometric standards are:

A. Lot Area. 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.

B. Required Yards for Buildings.
   1. Front yard shall not be less than fifty (50) feet.
   2. Side yard shall not be less than twenty-five (25) feet.
   3. Rear yard shall not be less than twenty-five (25) feet.

C. Building Height. Unlimited.

D. Exceptions to Yard and Building Height Requirements. See Chapter 18.50.000 Supplementary Regulations.

E. Parking. See Chapter 18.50.000 Supplementary Regulations.

F. Signs. See Chapter 18.50.000 Supplementary Regulations.
Sections:

18.14.010 Intent
18.14.020 Use Regulations
18.14.030 Standards

18.14.010 Intent

These districts are intended for agricultural uses of land and for very low density residential development. These districts are intended for areas where community sewer and water systems are unavailable.

18.14.020 Use Regulations

A. Permitted Uses. In the RA-40, RA-20, RA-10, and RA-5, Rural and Agricultural districts, permitted uses are:

1. Accessory uses;
2. Agri-business;
3. Agricultural uses;
4. Airports, heliports, and aircraft landing fields, and related buildings essential in the operation of said uses, in the RA-40 and RA-20 districts only;
5. Animal and veterinary hospitals;
6. Animal boarding and breeding facilities;
7. Bed and breakfast;
8. Blacksmith shop;
9. Church buildings;
10. Commercial agriculture;
11. Commercial and/or domestic livestock;
12. Grange hall;
13. Guest house;
14. Home occupations;
15. Kennels, major and minor;
16. Mobile homes;
17. Public utility and service uses including, but not limited to: fire stations, transfer stations, electric substations, gas regulator stations, antenna towers and other outdoor equipment essential to the interest of public convenience and necessity, commercial radio and television towers, sewage treatment plants, well and water pumping stations, water filtration plants, water reservoirs, and other similar uses. These uses do not include the installation and maintenance of utility lines which are permitted uses in all zoning districts;
18. Riding academies and stables;
19. Single-family detached dwellings;
20. Sawmills, non-commercial;
21. Storage of fertilizers, farm supplies, and common livestock husbandry;
22. Two-family attached dwellings.

B. Conditional Uses. In the RA-40, RA-20, RA-10, and RA-5, Rural and Agricultural districts, conditional uses are:

1. Airports, heliports, and aircraft landing fields, and related buildings essential in the operation of said uses, in the RA-10 and RA-5 districts only;
2. Cemeteries;
3. Clubs and lodges;
4. Day care facilities;
5. Dormitories and other dwelling units, including mobile homes, placed on the premises to be used by individuals employed in the agricultural uses of the premises;
6. Group homes;
7. Hostels;
8. Mobile home parks;
9. Neighborhood dumpsters;
10. Public dumping sites;
11. Penal, correctional, and other institutions necessitating restraint of inhabitants;
12. Professional offices;
13. Sanitary land fills;
14. School buildings;
15. Shooting and archery ranges;
16. Sawmills, commercial;
17. Stadiums, arenas, and fairgrounds;
18. Wildlife and animal parks.

18.14.030 Standards

In the RA-40, RA-20, RA-10, and RA-5, Rural and Agricultural districts, geometric standards are:

A. Lot Area

1. In the RA-40 district, lot area shall not be less than forty (40) acres.
2. In the RA-20 district, lot area shall not be less than twenty (20) acres.
3. In the RA-10 district, lot area shall not be less than ten (10) acres.
4. In the RA-5 district, lot area shall not be less than five (5) acres.

B. Required Yards for Buildings.

1. Front yard shall not be less than thirty-five (35) feet.
2. Side yard shall not be less than ten (10) feet.
3. Rear yard shall not be less than ten (10) feet.

C. Building Height. Unlimited.

D. Exceptions to Yard and Building Height Requirements. See Chapter 18.50.000 Supplementary Regulations.

E. Parking. See Chapter 18.50.000 Supplementary Regulations.

F. Signs. See Chapter 18.50.000 Supplementary Regulations.
Sections:

18.16.010 Intent
18.16.020 Use Regulations
18.16.030 Standards

18.16.010 Intent
These districts are intended for small scale agricultural uses of land. These districts are intended for areas where community sewer and water systems are unavailable.

18.16.020 Use Regulations

A. Permitted Uses. In the RF-4 and RF-2, Rural Farmstead districts, permitted uses are:
   1. Accessory uses;
   2. Agricultural uses;
   3. Animal and veterinary hospitals;
   4. Animal boarding and breeding facilities;
   5. Bed and breakfast;
   6. Church buildings;
   7. Clubs and lodges;
   8. Commercial agriculture;
   9. Commercial and/or domestic livestock;
  10. Guest house;
  11. Home occupations;
  12. Kennels, major and minor;
  13. Mobile homes;
  14. Riding academies and stables;
  15. Single-family detached dwellings;
  16. Two-family attached dwellings.

B. Conditional Uses. In the RF-4 and RF-2, Rural Farmstead districts, conditional uses are:
   1. Agri-business;
   2. Airports, heliports, and aircraft landing fields, and related buildings essential in the operation of such uses;
   3. Cemeteries;
   4. Day care facilities;
   5. Dormitories and other dwelling units, including mobile homes, placed on the premises to be used by individuals employed in the agricultural uses of the premises;
6. Group homes;
7. Hostels;
8. Professional offices;
9. Public utility and service uses including, but not limited to: fire stations, transfer stations, neighborhood dumpsters, public dumping sites, electric substations, gas regulator stations, telephone exchanges, microwave relay towers and stations, antenna towers and other outdoor equipment essential to the interest of public convenience and necessity, commercial radio and television towers, sewage treatment plants, well and water pumping stations, water filtration plants, water reservoirs, and other similar uses. These uses do not include the installation and maintenance of utility lines which are permitted uses in all zoning districts;
10. School buildings.

18.16.030 Standards

In the RF-4 and RF-2, Rural Farmstead districts, geometric standards are:

A. Lot Area.
   1. In the RF-4 district, lot area shall not be less than one hundred sixty thousand (160,000) square feet.
   2. In the RF-2 district, lot area shall not be less than eighty thousand (80,000) square feet.

B. Required Yards for Buildings.
   1. Front yard shall not be less than thirty-five (35) feet.
   2. Side yard shall not be less than ten (10) feet.
   3. Rear yard shall not be less than ten (10) feet.

C. Building Height. Unlimited.

D. Exceptions to Yard and Building Height Requirements. See Chapter 18.50.000 Supplementary Regulations.

E. Parking. See Chapter 18.50.000 Supplementary Regulations.

F. Signs. See Chapter 18.50.000 Supplementary Regulations.
Chapter 18.18.000
RE-4 AND RE-2 RURAL ESTATE DISTRICTS

Sections:
18.18.010 Intent
18.18.020 Use Regulations
18.18.030 Standards

18.18.010 Intent
These districts are intended for low-density residential development and other compatible uses in areas where community sewer and water systems are unavailable.

18.18.020 Use Regulations
A. Permitted Uses. In the RE-4 and RE-2, Rural Estate districts, permitted uses are:
   1. Accessory uses;
   2. Bed and breakfast;
   3. Church buildings;
   4. Domestic livestock;
   5. Guest house;
   6. Home occupations;
   7. Single-family detached dwellings;
   8. Two-family attached dwellings.

B. Conditional Uses. In the RE-4 and RE-2, Rural Estate district, conditional uses are:
   1. Airports, heliports, and aircraft landing fields, and related buildings essential in the operation of such uses;
   2. Animal and veterinary hospitals;
   3. Cemeteries;
   4. Clubs and lodges;
   5. Day care facilities;
   6. Group Homes;
   7. Hostels;
   8. Kennels, minor;
   9. Mobile homes;
   10. Professional offices;
11. Public utility and service uses including, but not limited to: fire stations, transfer stations, neighborhood dumpsters, public dumping sites, electric substations, gas regulator stations, telephone exchanges, microwave relay towers and stations, antenna towers and other outdoor equipment essential to the interest of public convenience and necessity, commercial radio and television towers, sewage treatment plants, well and water pumping stations, water filtration plants, water reservoirs, and other similar uses. These uses do not include the installation and maintenance of utility lines which are permitted uses in all zoning districts.


18.18.030 Standards

In the RE-4 and RE-2, Rural Estate districts, geometric standards are:

A. Lot Area.

1. In the RE-4 district, lot area shall not be less than one hundred sixty thousand (160,000) square feet.

2. In the RE-2 district, lot area shall not be less than eighty thousand (80,000) square feet.

B. Required Yards for Buildings.

1. Front yard shall not be less than thirty-five (35) feet.

2. Side yard shall not be less than twenty-five (25) feet.

3. Rear yard shall not be less than twenty-five (25) feet.

C. Building Height. Unlimited.

D. Exceptions to Yard and Building Height Requirements. See Chapter 18.50.000 Supplementary Regulations.

E. Parking. See Chapter 18.50.000 Supplementary Regulations.

F. Signs. See Chapter 18.50.000 Supplementary Regulations.
Chapter 18.20.000
RR RURAL RESIDENTIAL DISTRICT

Sections:
18.20.010 Intent
18.20.020 Use Regulations
18.20.030 Standards

18.20.010 Intent
This district is intended for low-density residential development and other compatible uses in areas where community sewer and water systems may or may not be available.

18.20.020 Use Regulations
A. Permitted Uses. In the RR, Rural Residential district, permitted uses are:
   1. Accessory uses;
   2. Animals, where there are less than twenty-five (25) non-hooved animals each weighing less than fifty (50) pounds.
   3. Church Buildings;
   4. Domestic livestock on lots of not less than eighty thousand (80,000) square feet in area;
   5. Home occupations;
   6. Single-family detached dwellings;
   7. Two-family attached dwellings;

B. Conditional Uses. In the RR, Rural Residential district, conditional uses are:
   1. Airports, heliports, and aircraft landing fields, and related buildings essential in the operation of such uses;
   2. Animal and veterinary hospitals;
   3. Bed and breakfast;
   4. Cemeteries;
   5. Day care facilities;
   6. Domestic livestock;
   7. Guest house; one per lot, and only on a lot with an existing single-family detached dwelling or, where permitted, an existing mobile home;
   8. Group homes;
   9. Kennels, minor, on lots of not less than eighty thousand (80,000) square feet in area;
   10. Mobile homes;
   11. Professional offices;
12. Public utility and service uses including, but not limited to: fire stations, transfer stations, neighborhood dumpsters, public dumping sites, electric substations, gas regulator stations, telephone exchanges, microwave relay towers and stations, antenna towers and other outdoor equipment essential to the interest of public convenience and necessity, commercial radio and television towers, sewage treatment plants, well and water pumping stations, water filtration plants, water reservoirs, and other similar uses. These uses do not include the installation and maintenance of utility lines which are permitted uses in all zoning districts.


18.20.030 Standards

In the RR, Rural Residential district, geometric standards are:

A. Lot Area. Lot area shall not be less than forty thousand (40,000) square feet.

B. Required Yards for Buildings.
   1. Front yard shall not be less than twenty-five (25) feet.
   2. Side yard shall not be less than twenty-five (25) feet.
   3. Rear yard shall not be less than twenty-five (25) feet.

C. Building Height. Unlimited.

D. Exceptions to Yard and Building Height Requirements. See Chapter 18.50.000 Supplementary Regulations.

E. Parking. See Chapter 18.50.000 Supplementary Regulations.

F. Signs. See Chapter 18.50.000 Supplementary Regulations.
Chapter 18.22.000
SF-20, SF-10, AND SF-5  SINGLE-FAMILY RESIDENTIAL DISTRICTS

Sections:

18.22.010  Intent
18.22.020  Use Regulations
18.22.030  Standards

18.22.010  Intent

These districts are intended for low and medium density residential development and other uses which maintain the low and medium density residential nature of the district. These districts are intended for areas where community sewer and water systems are available.

18.22.020  Use Regulations

A.  Permitted Uses. In the SF-20, SF-10, and SF-5, Single-Family Residential districts, permitted uses are:

1.  Accessory uses;
2.  Church buildings;
3.  Home occupations;
4.  Playground;
5.  Single-family detached dwellings.

B.  Conditional Uses. In the SF-20, SF-10, and SF-5, Single-Family Residential districts, conditional uses are:

1.  Day care facility;
2.  Parking lots, as a principal use;
3.  Privately owned and operated neighborhood recreation centers oriented towards a particular residential subdivision or complex;
4.  Public utility and service uses including, but not limited to: fire stations, transfer stations, neighborhood dumpsters, public dumping sites, electric substations, gas regulator stations, telephone exchanges, microwave relay towers and stations, antenna towers and other outdoor equipment essential to the interest of public convenience and necessity, commercial radio and television towers, sewage treatment plants, well and water pumping stations, water filtration plants, water reservoirs, and other similar uses. These uses do not include the installation and maintenance of utility lines which are permitted uses in all zoning districts;
5.  School buildings.

18.22.030  Standards

In the SF-20, SF-10, and SF-5, Single-Family Residential districts, geometric standards are:

A.  Lot Area,
1.  In the SF-20 district, lot area shall not be less than twenty thousand (20,000) square feet.
2. In the SF-10 district, lot area shall not be less than ten thousand (10,000) square feet.

3. In the SF-5 district, lot area shall not be less than five thousand (5,000) square feet.

B. Required Yards for Principal Buildings.

1. Front yard shall not be less than twenty (20) feet.

2. Side yard shall not be less than five (5) feet.

3. Rear yard shall not be less than ten (10) feet.

C. Building height. Unlimited.

D. Exceptions to Yard and Building Height Requirements. See Chapter 18.50.000 Supplementary Regulations.

E. Parking. See Chapter 18.50.000 Supplementary Regulations.

F. Signs. See Chapter 18.50.000 Supplementary Regulations.
Chapter 18.24.000

TF  TWO-FAMILY RESIDENTIAL DISTRICT

Sections:

18.24.010 Intent
18.24.020 Use Regulations
18.24.030 Standards

18.24.010 Intent

This district is intended for medium-density residential development and other uses which maintain the medium-density residential nature of the district in areas where community sewer and water systems are available.

18.24.020 Use Regulations

A. Permitted Uses. In the TF, Two-Family Residential district, permitted uses are:

1. Any permitted use in the SF-20, SF-10 and SF-5 districts;
2. Two-family attached dwellings.

E. Conditional Uses. In the TF, Two-Family Residential district, conditional uses are:

1. Any conditional use in the SF-20, SF-10 and SF-5 districts;

18.24.030 Standards

In the TF, Two-Family Residential district, geometric standards are:

A. Lot Area.

1. Lot area for a single-family detached dwelling shall not be less than five thousand (5,000) square feet.
2. Lot area for a two-family attached dwelling shall not be less than three thousand five hundred (3,500) square feet per dwelling unit.

B. Required Yards for Principal Buildings.

1. Front yard shall not be less than twenty (20) feet.
2. Side yard shall not be less than five (5) feet.
3. Rear yard shall not be less than five (5) feet.

C. Building Height. Unlimited.

D. Exceptions to Yard and Building Height Requirements. See Chapter 18.50.000 Supplementary Regulations.

E. Parking. See Chapter 18.50.000 Supplementary Regulations.

F. Signs. See Chapter 18.50.000 Supplementary Regulations.
Chapter 18.26.000
MF MULTIPLE-FAMILY RESIDENTIAL DISTRICT

Sections:

18.26.010 Intent
18.26.020 Use Regulations
18.26.030 Standards

18.26.010 Intent

This district is intended for high-density residential development provided through a variety of housing types and other types of quasi-residential and public use development maintain the high-density residential nature of the district. This district is intended for areas where community sewer and water systems are available.

18.26.020 Use Regulations

A. Permitted Uses. In the MF, Multiple-Family Residential district, permitted uses are:
   1. Any permitted use in the SF-20, SF-10, SF-5, and TF districts;
   2. Multiple-family dwellings.

B. Conditional Uses. In the MF, Multiple-Family Residential district, conditional uses are:
   1. Any conditional use in the SF-20, SF-10, SF-5, and TF districts;
   2. Group homes;
   3. Libraries;
   4. Mobile home parks;
   5. Museums and art galleries;
   6. Nursing homes, convalescent homes, retirement centers, and similar institutions;
   7. Public recreation buildings and community centers;
   8. Rooming house;
   9. Schools, art, music, dance, business, trade, and other similar educational uses.

18.26.030 Standards

In the MF, Multiple-Family Residential district, geometric standards are:

A. Lot Area.
   1. Lot area for a single-family detached dwelling or other allowable uses not listed below shall not be less than five thousand (5,000) square feet.
   2. Lot area for a two-family attached dwelling shall not be less than three thousand five hundred (3,500) square feet per dwelling unit.
   3. Lot area for a multiple-family dwelling shall not be less than two thousand (2,000) square feet per dwelling unit.
B. Required Yards for Principal Buildings.
   1. Front yard shall not be less than twenty (20) feet.
   2. Side yard shall not be less than ten (10) feet.
   3. Rear yard shall not be less than ten (10) feet.
C. Building Height. Unlimited.
D. Exceptions to Yard and Building Height Requirements. See Chapter 18.50.000 Supplementary Regulations.
E. Parking. See Chapter 18.50.000 Supplementary Regulations.
F. Signs. See Chapter 18.50.000 Supplementary Regulations.
Chapter 18.28.000
MFO MULTIPLE-FAMILY RESIDENTIAL/PROFESSIONAL OFFICE DISTRICT

Sections:
18.28.010 Intent
18.28.020 Use Regulations
18.28.030 Standards

18.28.010 Intent

This district is intended for a combination of very high-density residential, quasi-residential, and non-residential development maintains the high-density residential and non-residential nature of this district. This district is intended for areas where community sewer and water systems are available.

18.28.020 Use Regulations

A. Permitted Uses. In the MFO, Multiple-Family Residential/Professional Office district, permitted uses are:

1. Any permitted use in the SF-20, SF-10, SF-5, TF, and MF districts;
2. Bed and breakfast;
3. Church buildings;
4. Day care facilities;
5. Funeral homes;
6. Group Homes;
7. Libraries;
8. Museums and art galleries;
9. Nursing homes, convalescent homes, retirement centers, and other similar institutions;
10. Professional offices;
11. Privately owned and operated neighborhood recreation centers oriented towards a particular residential subdivision or complex;
12. Public recreation buildings and community centers;
13. Rooming house;
14. Schools, art, music, dance, business, trade, and other similar education uses;
15. School buildings;

B. Conditional Uses. In the MFO, Multiple-Family Residential/Professional Office district, conditional uses are:

1. Animal hospitals and veterinary clinics;
2. Business, public, and governmental offices;
3. Hospitals, medical centers, and research centers;
4. Parking lots, as a principal use;
5. Public utility and service uses including, but not limited to: fire stations, transfer stations, neighborhood dumpsters, public dumping sites, electric substations, gas regulator stations, telephone exchanges, microwave relay towers and stations, antenna towers and other outdoor equipment essential to the interest of public convenience and necessity, commercial radio and television towers, sewage treatment plants, well and water pumping stations, water filtration plants, water reservoirs, and other similar uses. These uses do not include the installation and maintenance of public utility lines which are permitted uses in all zoning districts.

18.28.030 Standards

In the MFO, Multiple-Family Residential/Professional Office district, geometric standards are:

A. Lot Area.

1. Lot area for a single-family detached dwelling or other allowable uses not listed below shall not be less than five thousand (5,000) square feet.

2. Lot area for a two-family attached dwelling shall not be less than three thousand five hundred (3,500) square feet per dwelling unit.

3. Lot area for a multiple-family dwelling shall not be less than one thousand five hundred (1,500) square feet per dwelling unit.

B. Required Yards for Principal Buildings.

1. Front yard shall not be less than twenty (20) feet.

2. Side yard shall not be less than ten (10) feet.

3. Rear yard shall not be less than twenty (20) feet.

C. Building Height. Unlimited.

D. Exceptions to Yard and Building Height Requirements. See Chapter 18.50.000 Supplementary Regulations.

E. Parking. See Chapter 18.50.000 Supplementary Regulations.

F. Signs. See Chapter 18.50.000 Supplementary Regulations.
Chapter 18.32.000  
LC LIGHT COMMERCIAL DISTRICT

Sections:

18.32.010 Intent
18.32.020 Use Regulations
18.32.030 Standards

18.32.010 Intent

This district is intended to provide for limited retail and personal service uses for the consumer population of the immediate neighborhoods in which such uses are located. This district is not intended for those types of uses that will either attract the consumer population of large segments of the community, attract large volumes of traffic.

18.32.020 Use Regulations

A. Permitted Uses. In the LC, Light Commercial district, permitted uses are:

1. Any permitted use in the SF-20, SF-10, SF-5, TF, MF, and the MFO districts;
2. Barber shops;
3. Beauty shops;
4. Drive-in banks and automatic tellers;
5. Drug stores, not exceeding five thousand (5,000) square feet in gross floor area;
6. Food stores, grocery stores, convenience establishments, meat markets, bakeries, and delicatessens, not exceeding five thousand (5,000) square feet in gross floor area;
7. Florists, greenhouses, and nurseries;
8. Launderettes and dry cleaning establishments;
9. Livestock feed and supply and other agricultural supply stores;
10. News dealers and newsstands;

B. Conditional Uses. In the LC, Light Commercial district, conditional uses are:

1. Amusement establishments;
2. Animal hospitals and veterinary clinics;
3. Automobile service stations;
4. Business, public, and governmental offices;
5. Group Homes;
6. Hospitals and medical centers and heliports as an accessory use; and research centers;
7. Parking lots, as a principal use;
8. Public utility and service uses including, but not limited to: Fire stations, transfer stations, neighborhood dumpsters, public dumping sites, electric substations, gas regulator stations, telephone exchanges, microwave relay towers and stations, antenna towers and other outdoor equipment essential to the interest of public convenience and necessity, commercial radio and television towers, sewage treatment plants, well and water pumping stations, water filtration plants, water reservoirs, and other similar uses. These uses do not include the installation and maintenance of public utility lines which are permitted uses in all zoning districts;

9. Video stores

18.32.030 Standards

In the LC, Light Commercial district, geometric standards are:

A. Lot Area. 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.

B. Required Yards for Buildings.
   1. Front yard shall not be less than twenty (20) feet.
   2. Side and rear yards shall not be required.

C. Building Height. Unlimited.

D. Exceptions to Yard and Building Height Requirements. See Chapter 18.50.000 Supplementary Regulations.

E. Parking. See Chapter 18.50.000 Supplementary Regulations.
Chapter 18.34.000
GC GENERAL COMMERCIAL DISTRICT

Sections:
18.34.010 Intent
18.34.020 Use Regulations
18.34.030 Standards

18.34.010 Intent

The GC district is intended to provide for a wide variety of retail, office, wholesale, personal service and other general service uses for the consumer population of large segments of the community. Because of the potential for heavy traffic and the appearance and performance of these uses, this district is located on the periphery of residential areas and at the intersections of arterial and major collector streets and roads.

18.34.020 Use Regulations

A. Permitted Uses. In the GC, General Commercial district, permitted uses are:

1. Any permitted use in the LC district;
2. Aircraft and marine parts and equipment stores;
3. Aircraft and marine sales and service;
4. Amusement establishments;
5. Animal boarding facilities;
6. Animal hospitals and veterinary clinics;
7. Antique shops;
8. Athletic clubs;
9. Automobile accessory stores;
10. Automobile and other motor vehicle sales;
11. Automobile car washes, self-service and automatic;
12. Automobile service and repair;
13. Automobile service stations;
14. Automobile, truck, and trailer rental agencies;
15. Bank and other financial institutions;
16. Banquet halls;
17. Bicycle stores; sales, rental and repair;
18. Bingo parlors and gambling halls;
19. Blueprinting and photo-copying establishments;
20. Book, stationery, and school supply stores;
21. Business, public, and governmental offices;
22. Camera stores, sales and repair;
23. Candy and ice cream stores;
24. Catalog stores;
25. Catering establishments and other food vending services;
26. Clothing stores;
27. Clubs and lodges; private, fraternal, and religious;
28. Convention, exhibition and civic centers, and auditoriums;
29. Department stores;
30. Drive-in restaurants;
31. Drug stores greater than five thousand (5,000) square feet in gross floor area;
32. Electrical and household appliance stores, sales and repair;
33. Employment agencies;
34. Farm equipment sales and service;
35. Food stores, grocery stores, meat markets, bakeries, delicatessens, greater than five thousand (5,000) square feet in gross floor area;
36. Furniture stores, storage and repair;
37. Furriers, sales, storage and repair;
38. Garden supply and seed stores;
39. Gift and souvenir stores and novelty shops;
40. Hardware stores;
41. Health centers;
42. Hobby shops;
43. Hospitals and medical centers and heliports as an accessory use; and research centers;
44. Hotels and motels;
45. Interior decorating stores;
46. Jewelry stores;
47. Libraries;
48. Liquor stores;
49. Locksmiths;
50. Mobile home and travel trailer sales;
51. Musical instrument stores, sales and repair;
52. Mobile home or permanent home to be used as a dwelling unit by the owner of a business or by a watchman, caretaker, manager and family when located on the premises where they are employed in such capacity;
53. Newspaper offices;
54. Office supply stores;
55. Outside storage and warehouses incidental and subordinate to the principal use of the property;
56. Parcel delivery and mail order services;
57. Paint, glass, and wallpaper stores;
58. Parking garages;
59. Parking lots, as a principal use;
60. Pawn shops;
61. Pet stores and animal grooming shops;
62. Photography supply, developing and processing stores;
63. Plumbing and heating service and equipment stores;
64. Post offices;
65. Printing and publishing establishments;
66. Public utility and service uses including, but not limited to: fire stations, transfer stations, neighborhood dumpsters, public dumping sites, electric substations, gas regulator stations, antenna towers and other outdoor equipment essential to the interest of public convenience and necessity, commercial radio and television towers, sewage treatment plants, well and water pumping stations, water filtration plants, water reservoirs and other similar uses. These uses do not include the installation and maintenance of public utility lines which are permitted uses in all zoning districts;
67. Radio and television broadcasting studios;
68. Record stores;
71. Rental services
72. Restaurants, lounges, liquor establishments, cafes, and tea rooms;
73. Self-storage establishments;
74. Shoe stores, sales and repair;
75. Sporting goods stores;
76. Stadiums, arenas, and fairgrounds;
77. Suntan parlors;
78. Taxicab stands and dispatching offices;
79. Taxidermists;
80. Theaters and movie houses;
81. Tobacco shops;
82. Toy stores;
83. Upholstery stores;
84. Variety and discount stores;
85. Welding, incidental and subordinate to the principal use of the property;
86. Wholesaling and distribution operations, including incidental assembly or processing of goods for sale on the premises but excluding any associated truck or rail freight terminals.
B. Conditional Uses. In the GC, General Commercial district, conditional uses are:

1. Airports, heliports, aircraft landing fields and associated buildings essential in the operation of these uses.
2. Building contractor's office and material storage;
3. Building material sales and storage, retail, as a principal use;
4. Bus and train stations and terminals;
5. Lumberyards;
6. Outside storage, as a principal use;
7. Penal, correctional, and other institutions necessitating restraint of patients;
8. Shooting and archery ranges;
9. Travel trailer parks and campgrounds;
10. Warehouses;
11. Watersports facility;
12. Welding, as a principal use;
13. Wholesaling and distribution operations including any associated truck and rail freight terminals;
14. Zoos and animal parks.

18.24.030 Standards

In the GC, General Commercial district, geometric standards are:

A. Lot Area. 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.

B. Required Yards for Buildings.

1. Front yard shall not be less than twenty (20) feet.
2. Side and rear yards shall not be required.

C. Building Height. Unlimited.

D. Exceptions to Yard and Building Height Requirements. See Chapter 18.50.000 Supplementary Regulations.

E. Parking. See Chapter 18.50.000 Supplementary Regulations.

F. Signs. See Chapter 18.50.000 Supplementary Regulations.
Chapter 18.36.000
CED CENTRAL BUSINESS DISTRICT

Sections:
18.36.010 Intent
18.36.020 Use Regulations
18.36.030 Standards

18.36.010 Intent

This district is intended to provide for retail, office, wholesale, personal service, and other general service uses for the consumer population of the entire community in a centrally located and contained high-density setting.

18.36.020 Use Regulations

A. Permitted Uses. In the CED, Central Business district, permitted uses are:
   1. Any permitted use in the CC district except residential uses on the ground floor, and establishments with a drive-in/drive-thru facility.

B. Conditional Uses. In the CED, Central Business district, conditional uses are:
   1. Any conditional use in the CC district.
   2. Any establishment with a drive-in/drive-thru facility.

18.36.030 Standards

In the CED, Central Business district, geometric standards are:
A. Lot Area. There shall be no minimum lot area.
B. Required Yards for all Buildings.
   1. Front yard shall not be required.
   2. Side yard shall not be required.
   3. Rear yard shall not be required.
C. Building Height. Unlimited.
D. Parking. See Chapter 18.50.000 Supplementary Regulations.
E. Signs. See Chapter 18.50.000 Supplementary Regulations.
Chapter 18.38.000
LI LIGHT INDUSTRIAL DISTRICT

Sections:
18.38.010 Intent
18.38.020 Use Regulations
18.38.030 Standards

18.38.010 Intent
This district is intended to provide for light manufacturing, fabricating, assembly, disassembly, processing and treatment activities in an urban or suburban environment. This district's uses are intended to be conducted in a manner not detrimental to the rest of the community by reason of the emission or creation of noise, vibration, smoke, dust, or other other particulate matter, toxic or noxious materials, odors, fire, or explosive hazards, or glare or heat.

18.38.020 Use Regulations
A. Permitted Uses. In the LI, Light Industrial district, permitted uses are:
   1. Any permitted use in the LC, CC, and CBD districts except residential dwelling units not otherwise permitted in this district and school buildings;
   2. Any use whose primary purpose is concerned with the light manufacturing, fabricating, assembly, disassembly, processing, or treatment of goods and products, including but not limited to:
      a. appliances
      b. books
      c. clothing and textiles
      d. drugs
      e. electrical components
      f. glass and ceramics
      g. plastic and fiberglass products
      h. plaster and wallboard products
      i. sheetmetal
      j. stoneware and earthenware
      k. textiles
      l. tools
      m. toys
      n. wood assembly and finishing
   3. Building contractor's office and material storage;
   4. Building material sales and storage, retail, as a principal use;
   5. Bus and train stations and terminals;
   6. Cleaning, laundry, or dyeing plants;
7. Frozen food lockers;
8. Lumberyards;
9. Machinery sales, service and storage;
   a) diesel tractor and trailer
   b) oil and water well drilling equipment
10. Machine shops;
11. Mobile home or permanent home to be used as a dwelling unit by the
    owner or by a watchman, caretaker, manager, and family when located on
    the premises where they are employed in such capacity;
12. Motor and rail freight terminals;
13. Outside storage as a principal use;
14. Sign shops;
15. Shooting and archery ranges;
16. Travel trailer parks and campgrounds;
17. Warehouses;
18. Welding;
19. Wholesale and distribution operations;
20. Zoos and animal parks.

B. Conditional Uses. In the LI, Light Industrial district, conditional uses
are:

1. Airports, heliports, aircraft landing fields and associated buildings
   essential in the operation of these uses;
2. Dormitories and other dwelling units, including mobile homes, placed
   on the premises to be used by individuals employed in the industrial
   use of the premises;
3. Junkyards;
4. Natural resource extraction on tracts of land not less than five (5)
   acres in size, including equipment and buildings or structures for
   screening, crushing, mixing, washing, storage or office purposes;
5. Penal, correctional and other institutions necessitating restraint of
   inhabitants;
6. Power generation plants;
7. Railroad yard or roundhouse;
8. Recycling centers;
9. Sanitary landfills;
10. Saw mills;
11. Shipping and receiving terminals.
18.38.030 Standards

In the LI, Light Industrial district, geometric standards are:

A. Lot Area. 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.

B. Required Yards for Buildings.
   1. Front yard shall not be less than twenty (20) feet.
   2. Side and rear yards shall not be required.

C. Building Height. Unlimited.

D. Exceptions to Yard and Building Height Requirements. See Chapter 18.50.000 Supplementary Regulations.

E. Parking. See Chapter 18.50.000 Supplementary Regulations.

F. Signs. See Chapter 18.50.000 Supplementary Regulations.
Chapter 18.40.000
HI  HEAVY INDUSTRIAL DISTRICT

Sections:

18.40.010 Intent
18.40.020 Use Regulations
18.40.030 Standards

18.40.010 Intent
This district is intended to provide for heavy manufacturing, fabricating, assembly, disassembly, processing, and treatment activities.

18.40.020 Use Regulations
A. Permitted Uses. In the HI, Heavy Industrial district, permitted uses are:
   1. Any use permitted in the LI district;
   2. Any use whose primary purpose is concerned with the heavy manufacturing, fabricating, assembly, disassembly, processing, or treatment of goods and services, including but not limited to:
      a. acid
      b. airplanes
      c. boats
      d. cement, lime, gypsum, and plaster of paris
      e. chemicals
      f. creosote
      g. explosives
      h. gas
      i. glue
      j. ink
      k. motor vehicles
      l. paint, oil, shellac, varnish, and turpentine
      m. paper products and pulp manufacture
      n. poison
      o. rubber products
   3. Beverage manufacture, including breweries;
   4. Distillation of wood, coal, or bones;
   5. Food and grain processing, canning and storage, including meat, fish, and poultry;
   6. Foundries, iron works, and steel fabrication;
   7. Junkyards;
   8. Metal reduction furnace for aluminum, gold, silver, platinum, copper, tin, or zinc;
9. Natural resource extraction on tracts of land not less than five (5) acres in size, including equipment and buildings or structures for screening, crushing, mixing, washing, storage, or office purposes;

10. Power generation plants;

11. Railroad yard or roundhouse;

12. Recycling centers;

13. Rendering plants;

14. Sanitary landfills;

15. Saw mills;

16. Shipping and receiving terminals;

17. Slaughter houses;

18. Tannery.

B. Conditional Uses. In the HI, Heavy Industrial district, conditional uses are:

1. Airports, heliports, aircraft landing fields, and associated buildings essential in the operation of these uses;

2. Bulk fuel distribution and storage not incidental to the uses listed in sections A and B;

3. Dormitories and other dwelling units, including mobile homes, placed on the premises to be used by individuals employed in the industrial use of the premises;

4. Penal, correctional, and other institutions necessitating restraint of inhabitants;

5. Petro-chemical plant;

6. Petroleum refining or storage.

5. Storage of hazardous substances as the principal use of the property or which are unrelated to those uses that are either permitted outright or conditionally in this zoning district.

18.40.030 Standards

In the HI, Heavy Industrial district, geometric standards are:

A. Lot Area. 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.

B. Required Yards for Buildings.

1. Front yard shall not be less than ten (10) feet.

2. Side and rear yards shall not be required.

C. Building Height. Unlimited.

D. Exceptions to Yard and Building Height Requirements. See Chapter 18.50.000 Supplementary Regulations.

E. Parking. See Chapter 18.50.000 Supplementary Regulations.

F. Signs. See Chapter 18.50.000 Supplementary Regulations.
Chapter 18.42.000
ML MINERAL LANDS DISTRICT

Sections:
18.42.010 Intent
18.42.020 Use Regulations
18.42.030 Standards

18.42.010 Intent

This district is intended to protect mineralized areas from the intrusions of incompatible land uses, to allow active exploration for and development of mineral resources, and to allow development necessary to carry out the recovery of mineral resources. This district is further intended to limit structural development of non-mineral related uses that would conflict with future mineral development. This district is intended to compliment, and not be in lieu of, any applicable Federal and State laws.

18.42.020 Use Regulations

A. Permitted Uses. In the ML, Mineral Lands district, permitted uses are:
   1. All on-site uses directly related to mineral exploration, extraction, and processing, such as, but not limited to: drilling, dredging, prospecting, mining, transporting materials, ore crushing, smelting, housing for owners, managers, and workers, parking lots, storage and repair of equipment, and similar compatible uses;
   2. All secondary or accessory uses in support of mining activities.

B. Conditional Uses. In the ML, Mineral Lands district, conditional uses are:
   1. Livestock grazing;
   2. Outdoor Recreation uses shall be considered similar and compatible uses as long as they do not conflict with current or future mining activities through use or improvement;

18.42.030 Standards

In the ML, Mineral Lands district, geometric standards are:

A. Lot Area. There shall be no minimum lot area except as may be required by any applicable State laws.

B. Required Yards for all Buildings and Extraction Activities. Front, side, and rear yards shall not be required.

C. Building Height. No limitation.

D. Exceptions to Yard and Building Height Requirements. See Chapter 18.50.000 Supplementary Regulations.

E. Parking. See Chapter 18.50.000 Supplementary Regulations.

F. Signs. See Chapter 18.50.000 Supplementary Regulations.
Chapter 18.44.000
CU-1 GENERAL USE DISTRICT

Sections:
18.44.010 Intent
18.44.020 Use Regulations
18.44.030 Standards

18.44.010 Intent

This district is intended to be located in rural areas where community sewer and water systems are unavailable.

18.44.020 Use Regulations

A. Permitted Uses. In the CU-1 General Use district, permitted uses are:
   1. Any use.

B. Conditional Uses. In the CU-1 General Use district, conditional uses are:
   1. Petro-chemical plant;
   2. Petroleum refinery and storage.
   3. Storage of hazardous substances as the principal use of the property or which are unrelated to those uses that are either permitted outright or conditionally in this zoning district.

18.44.030 Standards

In the CU-1 General Use district, geometric standards are:

A. Lot Area.
   1. In the CU-1 district, lot area shall not be less than forty thousand (40,000) square feet.

B. Required Yards for all Buildings. Front, side, and rear yards shall not be required.

C. Building Height. Unlimited.

D. 100-percent lot coverage.
Chapter 18.48.000
OVERLAY DESIGNATIONS

Sections:
18.48.010 Purpose
18.48.020 Procedures
18.48.030 DC - Downtown Core Designation
18.48.040 HS - Historically Significant Designation
18.48.050 MHS - Mobile Home Subdivision Designation

18.48.010 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.

18.48.020 Procedures

A request for or an amendment to an overlay designation shall be initiated in accordance with the procedures applicable to requests for conditional uses, as specified herein. An application by an individual shall be accompanied by a petition favoring the proposed overlay designation signed by the owner or owners of at least fifty-one (51) percent of the property within the area proposed for the overlay designation. If any individual property owner owns more than twenty-five (25) percent of the land area proposed for the overlay designation, then the request for the overlay designation shall contain that property owner’s signature.

18.48.030 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 Ordinance.

B. Regulations and Standards. Any new construction or any change in the use of, or an 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 Ordinance.

18.48.040 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.

18.48.050 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 multi-lot mobile home subdivision can be established and is not intended to be applied on an individual lot by lot basis.
Chapter 18.50.000
SUPPLEMENTARY REGULATIONS

Sections:
18.50.010 Purpose
18.50.020 Buildings per Lot
18.50.030 Accessory Buildings in Residential Districts
18.50.040 Exceptions to Required Yards
18.50.050 Exceptions to Building Height Requirements
18.50.060 Off-Street Parking and Loading Requirements
18.50.070 Signs
18.50.080 Home Occupations
18.50.090 Fences
18.50.100 Street Intersection Visibility
18.50.105 Standards for Travel Trailer Parks and Campgrounds
18.50.120 Standards for Storage of Hazardous Substances
18.50.130 Standards for Junkyards
18.50.140 Lighting
18.50.150 Standards for Public Utility and Service Uses

18.50.010 Purpose

The purpose of this chapter is to establish general building and performance standards.

18.50.020 Buildings per Lot

A. In the Rural and Agricultural through the TF, Two-Family Residential districts, both inclusive, not more than one (1) principal building may be located on one (1) lot. In all other districts, more than one (1) principal building may be located on one (1) lot provided the requirements of this Ordinance are met and where, in the NF, 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 ten (10) feet.

B. Within all districts, when two (2) or more contiguous lots 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.

18.50.030 Accessory Building in Residential Districts

In all districts, an accessory building shall meet the front yard requirement of the zoning district in which it is located.

In the SF-20, Single-Family Residential through the MFO, Multiple-Family Residential/Professional Office districts, both inclusive, accessory buildings shall meet the following requirements:

A. Location. An accessory building shall be located on the same zoning lot as the principal building or structure it serves is located. An accessory building shall not be located closer to the front lot line than the principal building. An accessory building shall be located not less than ten (10) feet from the principal building. Side and rear yard requirements as set forth in this Ordinance shall not apply to accessory buildings.
18.50.040 Exception to Required Yards

A required yard shall remain open and unobstructed, except as follows:

A. Eaves, ornamental features, and other ordinary projections normally associated with a residential building or structure may project not more than two (2) feet into the required yard.

B. Open stairways and balconies, decks, architected entries, chimneys, and other structures greater than two and one-half (2½) feet in height, may project a distance of not more than twenty (20) percent into the required yard.

C. Decks, paved terraces, patios, driveways, and other similar structures, not greater than two and one-half (2½) feet in height, may be located in the required yards.

D. In all zoning districts, and except as provided otherwise, required off-street parking may be located in the required yards.

18.50.050 Exceptions to Building Height Requirements

In the RA-10, Rural and Agricultural through LC, Light Commercial, 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. Radio towers, antennas, 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.

18.50.060 Off-Street Parking and Loading Requirements

In all districts, except the DU-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 Ordinance.

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. Bowling Alley One (1) space per three (3) seats
2. Furniture store One (1) space per five hundred (500) square feet of sales area
3. Hospital, sanitarium One (1) space per three (3) beds
4. Hotel (guestrooms only, add other uses extra), roominghouse Three (3) spaces per four (4) guestrooms
5. Office One (1) space per two hundred (200) square feet
6. Residential One (1) space per dwelling unit
7. Store (except furniture) One (1) space per two hundred (200) square feet of sales area
8. Theater or auditorium (including school auditoriums), church, funeral parlor, assembly hall One (1) space per four (4) seats
9. Restaurant One (1) space per three (3) seats
10. Trailer park, hotel One (1) space per unit
11. All commercial and industrial uses not otherwise designated Three (3) spaces per four (4) 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 three hundred (300) feet of the zoning lot, that accommodates the building, structure, or use being served.

F. Shared Off-Street Parking Spaces. Up to fifty (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 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 (1) handicapped equipped and designated off-street parking space for every fifty (50) required off-street parking spaces or ten (10) such spaces, whichever is less. Said space or spaces shall be at least eight (8) feet in width with an access aisle at least five (5) feet in width adjacent to the driver's or passenger's side of the car space. Said space or spaces shall be within two hundred (200) feet of an entrance to the building, structure, or use being served and, where there is more than one (1) 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 (5) feet of the center line 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 twenty-five (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 (9) feet in depth and eighteen (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 ten (10) feet, a minimum length of forty (40) feet, and a minimum height clearance of fourteen (14) feet.

5. All off-street parking and loading facilities including circulation drives and access routes shall be surfaced with at least two (2) inches of compacted gravel and graded and drained.

18.50.070 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 MHP, Mobile Home Park district, both inclusive, permitted signs are as follows:
   a. one (1) identification sign per dwelling;
   b. office buildings and other nonresidential uses, where permitted in residential zones, may have one (1) sign;
   c. one (1) real estate sign per lot;
d. one (1) 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 MHP, Mobile Home Park district, both inclusive;

b. one (1) 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 (1) sign per street lot line limitation;

c. other temporary signs as set forth herein.

3. Signs in the C1-1 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 Title 17, Fairbanks North Star Borough Code of Ordinances, one (1) 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 ninety (90) percent of the land in the subdivision has been sold, but not to exceed a two (2) year period, whichever occurs first.

2. Portable Signs: Except in residential zoning districts, one (1) 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. Political signs shall not be displayed more than forty-five (45) days prior to and seven (7) days after the date of the election. Political signs advertising successful candidates in a primary election may be displayed until seven (7) days following the general election.

e. When a political candidate is advertised, the candidate is responsible for ensuring the conditions of this section are met.
18.50.080 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 fifty (50) percent of the floor area of the residential dwelling unit shall be devoted to the home occupation.

C. Except for one (1) 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. 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.

18.50.090 Fences

In the SF-20, Single-Family Residential district through the MFO, Multiple-Family Residential/Professional Office district, both inclusive, fences and non-building walls shall not exceed eight (8) feet in height, except as set forth elsewhere in this Ordinance and in other ordinances.

18.50.100 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 (2½) feet and eight (8) 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 thirty (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.

18.50.110 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 twenty (20) feet shall be required from all property lines which form the perimeter of the travel trailer park of campground.

2. Building height. Building height shall not be greater than thirty-five (35) feet.

3. Space area. Each travel trailer or campground space shall not be less than one thousand two hundred fifty (1,250) square feet in area.

4. Space width. Each travel trailer or campground space shall not be less than twenty-five (25) feet in width.

5. Distance between structures. The minimum side-to-side and end-to-end spacing between travel trailers and/or other permitted buildings or structures and any subsequent additions thereto shall not be less than fifteen (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 (2) 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 twenty-five (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 thirty (30) feet from any street intersection, or ten (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 facilities for common use by park or campground occupants. Unless 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 and ground water.

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 Title 17, Fairbanks North Star Borough Code of Ordinances, streets shall meet the following minimum size standards:

1. Ten (10) feet per moving lane;

2. Seven (7) feet per on-street parallel parking lane, where on-site parking for each space is not provided;

3. Two (2) 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 so as, nearly as possible, be equal distance 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.

18.50.120 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:


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 C.F.R. 100 through 189.

18.50.130 Standards for Junkyards

Junkyards, where they are a conditional use, shall meet the following standards:

A. The proposed site shall not be established within five hundred (500) feet of any school building, hospital, public building, or residential structure adjacent thereto.

B. The proposed site shall have direct access from a major collector or arterial street, as defined by Title 17, Fairbanks North Star Borough Code of Ordinances.
C. Junkyards shall be completely enclosed and obscured from the public view by a solid fence or wall not less than eight (8) feet in height, by topography, or by natural planting of a height and density to provide and maintain a year-round visual screen. The type of screening shall be specified in the conditional use application. If the conditional use is granted, the screening which is approved shall be fully constructed, inspected, and approved prior to the yard being utilized. Failure to maintain the screen as specified shall be cause for the conditional use to be revoked and the junkyard shall be removed at the cost of the owner of the land upon which it is located.

D. Provisions shall be made to prevent any contamination of the domestic water supply or excessive surface runoff from the property into adjoining lands or streams. A drainage plan specifying the method of disposing surface runoff from the site shall be subject to the approval of the Alaska Department of Environmental Conservation, City of Fairbanks or North Pole Public Works Departments, and Borough Department of Public Works.

18.50.140 Lighting

A. 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.

18.50.150 Standards for Public Utility and Service Uses

Public utility and service uses, 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.
Chapter 18.52.000
ADMINISTRATION

Sections:
18.52.010 Department of Community Planning
18.52.020 Planning Commission
18.52.030 Board of Adjustment
18.52.040 Borough Assembly

18.52.010 Department of Community Planning

The Department of Community Planning shall have the primary responsibility of the administration of the provisions of this Ordinance. In addition thereto, the Department of Community Planning shall:

A. Receive, file, and forward copies of requests for rezonings, conditional uses, variances, and amendments to this Ordinance to the Planning Commission.

B. Review and analyze all applications received, assemble recommendations, and transmit said recommendations to the Planning Commission.

C. Receive recommendations concerning rezonings and amendments to this Ordinance from the Planning Commission and transmit same to the Borough Assembly.

D. Inspect uses of land to determine compliance with the provisions of this Ordinance, and where there are violations, initiate action to secure compliance.

E. Review and issue zoning permit applications to determine if a proposed development complies with the provisions of this Ordinance.

F. Maintain current and permanent records of this Ordinance, including, but not limited to maps, rezonings, conditional uses, variances, amendments to this Ordinance, nonconforming uses, appeals, and applications, including the recording of district amendments and conditional uses on the Official Zoning Map.

G. Decide or make recommendations on all other matters arising from this Ordinance upon which the Department of Community Planning is required to act.

H. Provide such technical assistance as may be required by the Planning Commission or the Borough Assembly in the exercise of their respective duties.

I. Provide and maintain public information services relative to matters arising out of this Ordinance.

18.52.020 Planning Commission

The Planning Commission shall:

A. Make determinations on requests for conditional uses and variances in the manner prescribed herein.

B. Make recommendations on requests for rezoning and amendments to this Ordinance in the manner prescribed herein and transmit same to the Borough Assembly.
18.52.030 Board of Adjustment

The Borough Assembly shall be the Board of Adjustment for decisions regarding land lying outside of any city incorporated in the Fairbanks North Star Borough. The Fairbanks City Council shall be the Board of Adjustment for decisions regarding land within the City of Fairbanks. The City Council of North Pole shall be the Board of Adjustment for decisions regarding land within the City of North Pole. The Board of Adjustment, or an Appeal's Officer that the Board of Adjustment may designate, shall hear and decide appeals of Planning Commission determinations on requests for conditional uses and variances, and of decisions or determinations made by the Department of Community Planning in the enforcement of this Ordinance.

18.52.050 Borough Assembly

The Borough Assembly shall:

A. Make determinations on requests for rezonings and amendments to this Ordinance.

B. Instruct the Department of Community Planning, from time to time, to make or initiate studies and draft reports concerning issues arising from this Ordinance and from other planning and zoning practices.
Chapter 18.54.000
AMENDMENTS, CHANGES, AND PROCEDURES

Sections:
18.54.010 General Procedures for Rezonings, Conditional Uses, and Variances
18.54.020 Procedures for Rezonings
18.54.030 Procedures for Conditional Uses
18.54.040 Procedures for Variances
18.54.050 Amendments to this Ordinance
18.54.060 Zoning Permits
18.54.070 Appeals

18.54.010 General Procedures for Rezonings, Conditional Uses, and Variances

A. Initiation. Applications for rezonings, conditional uses, and variances shall be made and reviewed according to the following procedures:

1. The applicant shall complete and submit the application forms provided by the Borough, along with the required processing fee, prior to the time and date established as the deadline for the Planning Commission meeting.

2. The Department of Community Planning shall review the submitted request, and submit the recommendation and all other applicable information to the Planning Commission, and Borough Assembly. The recommendation shall be based upon conformance to the comprehensive plan and public safety.

B. Public Hearing. Rezonings, conditional uses, and variances shall become effective only after a public hearing has been held at which all interested parties and/or citizens shall have an opportunity to be heard, and at which approval has been recommended or granted by the members of the Planning Commission or Borough Assembly. Notice of the time and place of the public hearing shall be published at least ten (10) days prior to the date of the hearing in a newspaper with general circulation in the jurisdiction of the Planning Commission and Borough Assembly. In addition, whenever a parcel, lot, or area of land is to be considered for a rezoning, conditional use, or variance, notice of the public hearing shall be mailed to all owners, as shown by the records of the Borough Assessor, of property in the area to be considered. Notice shall also be sent to owners of lots or land either within an area measured five hundred (500) feet in all directions from the boundaries of the area being considered if the request is of land within the incorporated areas of the Cities of Fairbanks and North Pole, or within an area measured one thousand (1000) feet in all directions from the boundaries of the area being considered if the request is of land outside of the incorporated areas of the Cities of Fairbanks and North Pole. In either instance, at least ten (10) owners of lots or land outside of the area being considered shall be notified by mail, whereby these distance requirements shall be increased.

C. Limitations. A proposed rezoning, conditional use, or variance which has been denied by the Planning Commission, and/or the Borough Assembly on a particular tract of a land for a particular purpose cannot again be applied for within six (6) months from the date of the denial, unless a new request is submitted that is determined to be substantially different from the original request (i.e. an application for a different but not necessarily a more restrictive zoning district, use, distance, area, etc.).

D. Public hearings. Testimony shall be limited to matters dealing with public health, safety and general welfare.
18.54.020 Procedures for Rezonings

A. Initiation. The Borough Assembly may, from time to time, change the zoning of parcels of land within the Borough. These changes in zoning classification shall be for the purpose of meeting the land use needs of the residents of the Borough in conformance with the Comprehensive Plan. A change in zoning classification may be initiated by:

1. Any member of the Borough Assembly;

2. Any person or persons provided that an application for rezoning is accompanied by a petition favoring the proposed rezoning signed by the owner or owners of at least fifty-one (51) percent of the property within the area proposed to be rezoned. If any individual property owner owns more than twenty-five (25) percent of the land area proposed to be rezoned, then the petition shall contain such property owner's signature. Land owned by the State of Alaska shall not be included in these computations.

B. Application for a Rezoning. Any member of the Borough Assembly may initiate a rezone by preparation of a suitable ordinance and introduction of same to the Borough Assembly in accordance with Assembly procedures. Any person or persons who wish to initiate a rezone shall complete and submit the application forms provided by the Department of Community Planning along with all requested information. The written consent of the owner of the interest in the property to be rezoned, or an authorized representative having power of attorney, shall accompany all applications. The written consent of a holder of a security interest in the property does not need to be obtained. The application shall also include the following information:

1. The legal and common description of the property to be rezoned.

2. The property's present and proposed zoning classification.

3. The recommendation for use of the property by the Borough's Comprehensive Plan.

4. The reasons for requesting the rezoning.

C. Public Hearing. Public hearings on rezones initiated by members of the Borough assembly shall be conducted in accordance with procedures required for all ordinances. The Planning Commission shall conduct public hearings on applications for rezones initiated by persons who own an interest in the property to be rezoned.

D. Hearing and Recommendation by the Planning Commission. The Planning Commission shall review, hear, and recommend whether or not a request for rezoning should be approved. The Planning Commission shall consider all oral and written statements from the applicant, the public, the Department of Community Planning, and its own members prior to making its recommendation. The Planning Commission shall also consider and adopt findings in each of the following:

1. Whether or not the proposed rezoning conforms to the Comprehensive Plan and to the public health, safety, and welfare.

The Planning Commission shall recommend either the approval or denial of the request.

E. Submission to the Borough Assembly. Within thirty (30) days of the Planning Commission's recommendation to approve a request for rezoning, or a report of said recommendation together with an ordinance shall be submitted to the Borough Assembly and a public hearing date shall be established.

F. Hearing and Determination by the Borough Assembly. The Borough Assembly shall review, hear, and decide whether or not a request for rezoning shall be approved. The Borough Assembly shall either approve or deny the request.
A. Generally. The development and execution of this Ordinance is based upon the division of the Borough into districts. It is recognized, however, that there are conditional uses which, because of their unique character and special and unusual impact upon the use of adjacent property, cannot be properly classified in any particular district or districts without consideration, in each case, of the impact of those uses upon adjacent property and upon the public need for the particular use in a particular location. Conditional uses are those operated by a public agency or public utility or uses traditionally associated with the public interest, or uses entirely private in nature but of such a character that their operation may give rise to unique problems with respect to their impact upon adjacent property or public facilities.

B. Application for a Conditional Use. An applicant for a conditional use shall complete and submit the approved application form in accordance with the procedures established herein. The applicant shall be the owner of the property described on the application, the contract purchaser of said property, the holder of an option to purchase said property, or such persons that possess a substantial proprietary interest in the property being considered. The written consent of the owner, or an authorized representative having power of attorney, shall accompany all applications. The written consent of a holder of a security interest in the property does not need to be obtained. The application shall also include the following information:

1. The legal and common description of the property to be considered for a conditional use.
2. The conditional use requested and the reasons for requesting it.
3. The property's present zoning classification.
4. A site plan showing the subject property and its dimensions.
5. The use, location, size, and height of all existing and proposed buildings and structures on the subject property.
6. Where applicable, the location of all existing and proposed curbs, driveways, off-street parking spaces and loading areas, traffic circulation patterns, street and right-of-way width, sidewalks, landscaping, screening, open space areas, signage, lighting, and other related matters.

C. Public Hearing. No conditional use request shall be approved until a public hearing has been held thereon by the Planning Commission in accordance with the procedures established herein.

D. Hearing and Decision by the Planning Commission. The Planning Commission shall review, hear, and decide whether or not to approve a request for a conditional use. In its deliberations, the Planning Commission shall consider all oral and written statements from the applicant, the public, and the Department of Community Planning. The Planning Commission shall also consider and adopt findings in each of the following:

1. Whether or not the proposed conditional use conforms to the intent and purpose of this Ordinance and of other ordinances and State statutes.
2. Whether or not the proposed conditional use is in the interest of the applicant.
3. Whether or not there are adequate existing sewage capacities, transportation facilities, energy and water supplies, and other public services to serve the proposed conditional use.
4. Whether or not the proposed conditional use will protect the public health, safety, and welfare.

The Planning Commission may approve or deny a conditional use request or may approve a conditional use request with conditions to insure the protection of the public health, safety, and welfare. Such conditions may relate to any, or more, of the following: traffic flow and access requirements; lighting; pedestrian movements.
A. Generally. The Planning Commission may allow a departure from the numerical regulations of this Ordinance pertaining to the size of yards and open space areas, building height and size, lot area, number and location of off-street parking spaces and loading areas, and other matters pertaining to the operation and construction of permitted uses.

1. Situations where variances may be granted include, but are not limited to: exceptional narrowness, shallowness, or shape of a specific piece of property at the time of the adoption of this Ordinance; exceptional topographic conditions; other extraordinary or exceptional situations or conditions of a specific piece of property; or because of existing situations or conditions that are generally prevalent in the immediate area that create a character similar to what would occur as a result of an approval of the request for a variance; or where the strict application of this Ordinance would result in a peculiar, exceptional and undue hardship, upon the owner of such property.

B. Application for a Variance. An applicant for a variance shall complete and submit the approved application form in accordance with the procedures established herein. The applicant shall be the owner of the property described by the application, the contract purchaser of said property, the holder of an option to purchase said property, or such persons that possess a substantial proprietary interest in the property being considered. The written consent of the owner, or an authorized representative having power of attorney, shall accompany all applications. The written consent of a holder of a security interest in the property does not need to be obtained.

An application for variance must meet the following standards:

1. Special conditions exist which are peculiar to the land involved and which are not applicable to other land in the same zoning district;

2. Strict interpretation of the provision of the zoning ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of the zoning ordinance;

The application shall also include the following information:

1. The legal and common description of the property on which the variance is to be considered.

2. The variance requested, and the reasons for the request.

3. The property's present zoning classification.

4. A site plan showing the subject property and its dimensions.

C. Public Hearing. No variance request shall be approved until a public hearing has been held thereon by the Planning Commission in accordance with the procedures established herein.

D. Hearing and Decision by the Planning Commission. The Planning Commission shall review, hear, and decide whether or not to approve a request for a variance. In deliberations, the Planning Commission shall consider all oral and written statement from the applicant, the public, and the Department of Community Planning. The Planning Commission shall also consider and adopt findings in each of the following:

1. Whether or not the proposed variance conforms to the intent and purpose of this Ordinance and of other ordinances and State statutes.

2. Whether or not the denial of the proposed variance will deprive the applicant the use of his/her property in a manner equivalent to the use permitted to be made by the owners of property in the immediate area.
3. Whether or not the proposed variance will protect the public health, safety, and welfare, traffic and parking conditions, from danger of fire.

The Planning Commission may approve or deny a variance request or may approve a variance request with conditions upon the property benefited by the variance as may be necessary to comply with the standards set forth in this Ordinance to ensure consistency with the general intent of this Ordinance.

18.54.050 Procedures for Amendments to this Ordinance

A. Initiation. Amendments to this Ordinance may be initiated by the Borough Assembly, Planning Commission. An amendment to this Ordinance involves changes in its text and wording, including but not limited to changes in the regulations regarding uses, setbacks, heights, lot areas, definitions, administration, and/or procedures.

B. Application for an Amendment to this Ordinance. An amendment to this Ordinance may be initiated by any member of the Borough assembly by preparation of an appropriate ordinance and introduction and enactment of same in accordance with Assembly procedures. An application for an amendment of this Ordinance initiated by the Planning Commission shall be made by the completion and submission of the appropriate application forms provided by the Department of Community Planning.

C. Review and Decision by the Borough Assembly. The Borough Assembly shall review, study, and decide whether or not to adopt a proposed amendment to this Ordinance.

D. Limitations, Amendments, and Revisions. The Borough Assembly may approve the proposed amendment, deny it, or refer it back to the Planning Commission for further review and consideration. If approved, the Department of Community Planning shall revise this Ordinance accordingly.

18.54.060 Zoning Permits

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, provisions of this Ordinance 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 Ordinance and other ordinances.

1. Except for conditional uses, changes made to any land or use in the OU-1 district 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 (5) business days of the time of submission. The Department shall not approve a zoning permit application until it is satisfied that the proposed development meets the regulations and provisions of this Ordinance and other ordinances. If approved, the Department shall issue the zoning permit allowing construction to commence.
18.54.070 Appeals

A. Initiation of Appeal. Decisions may be appealed to the Appeals Officer or the Board of Adjustment by:

1. An applicant for a conditional use or variance;

2. Any governmental agency or unit;

3. Any person adversely affected by a decision or determination made by the Director of the Department of Community Planning in the enforcement of this Ordinance, or who is adversely affected by a decision of the Planning Commission concerning a request for rezone, conditional use, or variance, or a request for amendment to this Ordinance.

B. Notice of Appeal. A notice of appeal shall be filed within fifteen (15) days after the decision was made from which the appeal is being taken. A notice of appeal shall be filed in duplicate with the Borough Clerk and shall contain:

1. The appellant's name, mailing address, and telephone number;

2. Detailed and specific allegations of error in the decision being appealed;

3. A statement of the result desired by the appellant.

The appellant shall pay an appeal fee as provided in a fee schedule to be approved by the Assembly. An untimely notice of appeal or a notice of appeal which does not conform with the requirements of this subsection shall be denied. No further proceedings shall be made on a defective notice of appeal unless the defect is corrected within the period provided for an appeal.

C. Notice of Hearing. The Borough Clerk shall promptly schedule appeals for hearing by the Appeals Officer or Board of Adjustment. Notice of the hearing of the appeal shall be mailed to the appellant and to all persons or parties who received notice of the original hearing of the decision being appealed not later than ten (10) days prior to the date of the hearing. Notice of the hearing of the appeal shall also be published in a newspaper of general circulation in the Fairbanks North Star Borough not later than ten (10) days prior to the date of the hearing.

D. Appeals hearing. The Board of Adjustment or an Appeals Officer, shall hear an appeal de novo. The Appeals Officer or Board of Adjustment may exercise its independent judgement on legal and factual issues raised by the appellant or appellee.

E. Decision. Where an appeal is heard by the Board of Adjustment, a majority vote of the fully constituted Board of Adjustment is required to decide an issue appealed from. For purposes of this section, the fully constituted Board of Adjustment shall not include those members who did not participate in the proceedings in accordance with this section. Where an appeal has been referred to an Appeals Officer, the Appeals Officer alone shall decide the appeal. A decision shall be in a form which finally disposes of the case on appeal except for cases remanded for further proceedings. Every decision by the Board of Adjustment or an Appeals Officer shall be based upon findings of fact and conclusions adopted by the Board of Adjustment or the Appeals Officer. Such findings shall be reasonably specific so as to provide the community, and where appropriate, reviewing authorities a clear and precise understanding of the reason for the decision. The Board may seek the assistance of the Borough Attorney in preparation of the findings.

F. Judicial review. Either the appellant or the appellee may appeal the decision of the Appeals Officer or the Board of Adjustment to the superior court. Appeals shall be made in accordance with the Alaska Rules of Civil Procedure.
Chapter 18.56.000
NONCONFORMING (GRANDFATHERED) USES AND LOTS

Sections:
18.56.010 Purpose
18.56.020 Authority to Continue
18.56.030 Restrictions

18.56.010 Purpose

The purpose of this chapter is to provide for the regulation of nonconforming buildings, structures, uses, and lots, and to specify these circumstances and conditions under which they shall be allowed to continue as legal nonconforming uses and lots.

18.56.020 Authority to Continue

Any nonconforming building, structure, use, or lot which existed lawfully prior to the effective date of this Ordinance or any lawful building, structure, use, or lot which has become nonconforming upon the adoption of this Ordinance or any subsequent amendment thereto, may be continued. Any change in ownership of such a building, structure, use, or lot does not void grandfather rights.

18.56.030 Restrictions

Except for agricultural buildings, structures, and livestock, and any other agricultural activities, any nonconforming building, structure, use, or lot, which does not conform with the regulations of the zoning district in which it is located shall be subject to the following:

A. Nonconforming Buildings and Structures.
   1. A nonconforming building or structure may be enlarged or altered.

B. Nonconforming Uses.
   1. A building, structure, or premises devoted to or designed for, in whole or in part, a nonconforming use may be enlarged or altered.
   2. In the event that a nonconforming use of a building, structure, or premises, or part thereof, is discontinued for any reason for a period of thirty-six (36) months, the subsequent use of the same building, structure, or premises, or part thereof, shall thereafter be in conformance with the zoning district in which it is located. The Director of the Department of Community Planning, with the concurrence of the Borough Assembly, may extend this thirty-six (36) month period to allow relief from emergencies or other extenuating circumstances which are outside the control of the landowner.

C. Nonconforming Lots.
   1. In any zoning district, a lot, which was lawfully subdivided and recorded prior to the adoption of this Ordinance or any subsequent amendment thereto, and that because of said adoption or amendment fails to meet the minimum lot size requirements of the zoning district in which it is located, shall be considered as a useable lot.
Chapter 18.58.000
ENFORCEMENT AND PENALTIES

Sections:
18.58.010 Duty to Enforce
18.58.020 Penalties

18.58.010 Duty to Enforce

The Department of Community Planning shall enforce the provisions of this Ordinance.

18.58.020 Penalties and Remedies

A. A violation of the provisions of this Ordinance, or any regulation adopted hereunder shall be a civil offense. Upon conviction, the court shall levy the appropriate fine of three hundred (300) dollars for each day the violation exists not to exceed one thousand dollars ($1,000).

B. The Director of the Department of Community Planning may cause to be instituted any appropriate civil action to enjoin a violation of the provisions of this Ordinance. Injunctive relief may be sought for a violation or a threatened violation.
## APPENDIX A

<table>
<thead>
<tr>
<th>Zoning District</th>
<th>Front Yard</th>
<th>Side Yard</th>
<th>Rear Yard</th>
<th>Maximum Building Height</th>
<th>Minimum Lot Size</th>
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</thead>
<tbody>
<tr>
<td>OR</td>
<td>50</td>
<td>25</td>
<td>25</td>
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<td>None¹</td>
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<tr>
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<tr>
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<td>160,000 sq. ft.</td>
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<tr>
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<tr>
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<td>Duplex 3,500 sq. ft. / unit</td>
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<td>Duplex 3,500 sq. ft. / unit</td>
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<tr>
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<td>0</td>
<td>0</td>
<td>Unlimited</td>
<td>40,000 sq. ft.</td>
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</tbody>
</table>

¹ Except as may be required by the State of Alaska Department of Environmental Conservation in areas where community sewer and water are unavailable.
V2019-003: A request by Steven Brooks ADOT&PF Right-of-Way Agent, on behalf of George E. Sikorski for lot size variance of 69,431 square feet to the RA-5 zone requirement of 200,000 square feet. Prior to the right-of-way acquisition this lot was 130,680 square feet. This project leaves a remainder lot of 130,569 sq. ft. The property is located at 878 McGrath Road.

Please print your name and mailing address below. Thank you.

<table>
<thead>
<tr>
<th>PRINTED NAME</th>
<th>SIGNATURE</th>
<th>MAILING ADDRESS</th>
<th>DID YOU TAKE THE OATH</th>
</tr>
</thead>
<tbody>
<tr>
<td>John Doe</td>
<td>John Doe</td>
<td>123 Anyplace Ave Fairbanks AK 99701</td>
<td></td>
</tr>
<tr>
<td>Steven Brooks</td>
<td></td>
<td>2301 Peger Rd, Fairbanks</td>
<td>X</td>
</tr>
<tr>
<td>Brian Roberts</td>
<td></td>
<td>2301 Peger Rd, Fairbanks</td>
<td></td>
</tr>
</tbody>
</table>
DEPARTMENT OF COMMUNITY PLANNING
STAFF REPORT
REVISED

V2019-004
Planning Commission Meeting

TO: Fairbanks North Star Borough Planning Commission
Thru: Kellen D. Spillman, Community Planning Deputy Director
From: Donald Galligan, Transportation Planner
DATE: August 13, 2019
RE: V2019-004: A request by Steven Brooks ADOT&PF Right-of-Way Agent, on behalf of Quinton O. Parker for lot size variance of 4,440 square feet from the legal non-conforming lot size of 95,832 square feet in the RA-5 zone which has a 200,000 square feet minimum lot size to allow for a lot of 91,392 square feet. This parcel is located at 814 McGrath Road.

I. EXECUTIVE SUMMARY

The Alaska Department of Transportation and Public Facilities (AKDOT & PF) has purchased right-of-way for McGrath Road Upgrades project. Four thousand four hundred forty (4,440) square feet of this parcel was acquired for roadway realignment. This project and associated right-of-way impacts represent a special condition which is peculiar to the property and which was not caused by the property owner. Prior to the DOT acquisition the size of the subject parcel was less than the RA-5 minimum lot size requirement of 200,000 square feet. The staff analysis finds that the parcel was a legal non-conforming lot prior to the right-of-way acquisition of 4,440 square feet in 2018 by AKDOT & PF. The staff analysis finds that the proposed variance will meet the intent and purpose of Title 18 and of other ordinances and state statutes and will not adversely affect the public health, safety and welfare. The remaining 91,392 square feet are of adequate size for existing and potential future development, including separation distances of well and septic.

The Department of Community Planning recommends APPROVAL of the variance request with one (1) condition and fourteen (14) Findings of Fact in support of approval.

II. GENERAL INFORMATION

A. Purpose

To obtain a highway variance of 4,440 square feet in the RA-5 zone which has a minimum lot size of 200,000 square feet, to allow a lot size of 91,392 square feet.
B. Location  
814 McGrath Road. Parcel is in the borough and outside the corporate limits of the City of Fairbanks.

C. Access  
McGrath Road

D. Size  
95,832 square feet prior to DOT property acquisition and 91,392 square feet after.

E. PAN  
686647

F. Existing Zone  
RA-5

G. Existing Land Use  
Residential.

H. Code Violations  
None known

I. Flood Zone  
X (100%) (March 17, 2014 dFIRM)

J. Utilities  
Parcel is served by Private Well and Septic.

K. Ownership  
Quinton O. Parker
814 McGrath Road
Fairbanks, AK 99712

L. Applicant  
Steven Brooks, Right-of-Way Agent
Alaska DOT & PF
2301 Peger Road
Fairbanks, AK 99709

I. ZONING AND DEVELOPMENT HISTORY
This area was homesteaded on December 16, 1925. There is no recorded plat for this parcel. In 1925, there was no zoning in effect, and the plat was outside the City limits of Fairbanks. The parent parcel was originally created in 1925 through Federal Patent. At this time the lot was 320 acres. In 1968 the Borough zoned the property Unrestricted Use (UU). UU had no lot size requirement. In 1969 the lot as it existed prior to the DOT right-of-way take was created by deed at 95,832 square feet in size, without going through the FNSB subdivision process. In 1971 the area zoning changed from UU to General Agriculture (GA), which required a lot size of 200,000 square feet. In 1988 the zoning again changed from GA to RA-5. In 2018 the current property owner Quinton O. Parker purchased the property.

FNSBC 49.15.030 stated that “lots of record, or uses of land or structures existing at the time of adoption of, or amendment to, this ordinance may be continued even though they do not conform to the standards established by this ordinance”. Therefore, although the lot was undersized for the GA/RA-5 zone, it was created prior to the establishment of that
zone and became a legal non-conforming lot at the time the GA/RA-5 Zone was put into effect.

State statute (AS 35.30.020) requires AKDOT & PF to comply with local planning and zoning ordinances, including lot size minimum requirements established by zoning. This statute went into effect in 1977 and requires AKDOT & PF to obtain a variance for right-of-way acquisition for projects.

In February of 2018, the AKDOT & PF acquired an additional 4,440 square feet for the McGrath Road Improvements, reducing the lot to its current size of 91,392 square feet. FNSBC18.84 requires a 200,000 square foot minimum lot size for the subject parcel and FNSBC 18.104.070 allows that a variance to this numerical standard as a direct result of the right-of-way acquisition can be obtained to be in compliance with Title 18. There are special allowances for variances caused as a result of a highway project in the FNSB zoning code.

The McGrath Road Upgrades project is designed to improve traffic flow and improve safety by widening the roadway, flattening curves, improving the bicycle and pedestrian walkway, and replacing and improving signage and striping. McGrath Road is a main access road for numerous neighborhoods. The project requires the acquisition of right-of-way to aid in the implementation of access improvements. HP2017-005, the McGrath Road Upgrade highway project in its entirety was approved by the Planning Commission on July 18, 2017. (SEE ATTACHMENT 1)

The current application is only for the variance necessitated by the right-of-way acquisition from the subject parcel. Denial of the variance will not result in denial of the highway project, but would have the result of necessitating that AKDOT & PF acquire the entire subject parcel rather than the portion of the parcel associated with this variance application.
Figure 2 illustrates the approximate area of land acquired in 2018 by AKDOT & PF for the McGrath Road Upgrade project from the subject property. In 2018, the lot size was 95,832 square feet before 4,440 square feet were acquired. After the right-of-way acquisition the parcel remainder was 91,392 square feet.

IV. APPLICABLE APPROVAL CRITERIA

Variances are governed by the following provisions of Title 18, Fairbanks North Star Borough Code of Ordinances and Titles 29 and 35, Alaska Statutes:

**Fairbanks North Star Borough (FNSB) Code of Ordinances**

18.12.020 Purpose. The purpose of this title is to implement the Fairbanks North Star Borough comprehensive plan. This title is intended to protect private property rights, to promote the public health, safety and general welfare of the residents of the borough, and safety from fire and to promote the efficient distribution of water, sewage, schools, parks and other public requirements; to provide safe traffic flow on the public streets; to promote economic development and the growth of private enterprise.

18.104.070 (A) Procedure for Highway Project Variances. Generally. The planning commission may allow a departure from the numerical standards of this title pertaining to the size of yards and open space areas, building height and size, lot area, number and location of off-street parking spaces and loading
areas, and other matters. Highway project variances must be a direct result of right-of-way acquisition.

18.104.070 (B) Procedures for Highway Project Variances: Application for a Highway Project Variance (2.) An application for highway project variance shall be evaluated by the following criteria:

(a) Whether special conditions exist which are peculiar to the property involved and which are not applicable to other property in the same zoning district, and

(b.) Whether strict interpretation of this title would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district;

18.104.070 (D) Procedures for Highway Project Variances: Hearing and Decision Process

(1.) Variance Requests Not Greater Than 10 Percent. If the director of community planning determines no extraordinary circumstances exist, highway project variances which depart from the numerical standards of this title by not greater than 10 percent shall appear on the consent agenda of the planning commission. Affected property owners may address the variance application during the citizen’s comments portion of the agenda. The planning commission may remove the item from the consent agenda and may approve, approve with conditions, or deny the highway project variance. The planning commission may also refer the application to a full review including public hearing in accordance with procedures outlined for highway project variances greater than 10 percent. If the director of community planning determines extraordinary circumstances do exist, the highway project variance will appear as a regular agenda item scheduled for public hearing in accordance with procedures outlined for highway project variance greater than 10 percent.

(2.) Variance Requests Greater Than 10 Percent. Departures of greater than 10 percent from the numerical standards shall be considered by the planning commission in a quasi-judicial hearing.

18.104.070 (E) Procedures for Highway Project Variances, The planning commission shall also consider and adopt findings in each of the following:

1. Whether the proposed variance conforms to the intent and purpose of this title and of other ordinances and Alaska Statutes’

2. Whether the denial of the proposed variance will deprive the property owner of the use of property in a manner similar to the use permitted to be made by the owners of property in the immediate area;
3. Whether or not the proposed variance will adversely affect the public health, safety and welfare, traffic or parking conditions, or increase the danger of fire.

State of Alaska Statutes

Section 29.40.040 (b). A variance from a land use regulation adopted under this section may not be granted if

1. special conditions that require the variance are caused by the person seeking the variance;

2. the variance will permit a land use in a district in which that use is prohibited; or

3. the variance is sought solely to relieve pecuniary hardship or inconvenience.

Section 35.30.020 Compliance with Municipal Ordinances. A department shall comply with local planning and zoning ordinances and other regulations in the same manner and to the same extent as other landowners.

V. STAFF ANALYSIS

A. Dear Property Owner Notices

There were 193 dear property owner notices mailed out and staff received one (1) inquiry about the case.

B. Surrounding Land Use and Zoning

Land use in this area is largely single family residential in all surrounding zones. This lot is zoned Rural and Agricultural (RA-5) with 200,000 square foot lot size minimum requirements, and it is surrounded on 3 sides by RA-5 Zoning. On the lot there is a single family residence, an accessory structure, and a Conex trailer. The front yard setback requirement in the RA-5 zone is 35 feet. Prior to the right-of-way acquisition the primary residence was setback 67 feet, and after the acquisition it is approximately 47 feet, still well within legal limits. There are other residential zones in the immediate proximity.

The intent of the RA-5 zone is “for agricultural uses of land for very low density residential development. These districts are intended for areas where community sewer and water systems are unavailable.”
The subject lot was created with the recording of a Warranty Deed on April 4, 1967 at 95,832 square feet in size. The parcel was located in an unincorporated area and there was no zoning in unincorporated areas at that time. Therefore, no minimum lot size was required when the lot was created. Fairbanks North Star Borough zoning designations and standards were adopted through Ordinance No. 67-34 on March 28, 1968 and the subject property was zoned Unrestricted Use (UU). There was no minimum lot size requirement under the UU zone. In 1971 the area zoning changed from UU to General Agriculture (GA), which required a lot size of 200,000 square feet. The adoption of Ordinance No. 88-010 on April 19, 1988 changed the zoning designation on the subject parcel from GA to Rural and Agricultural (RA-5), continuing the minimum lot size requirement of 200,000 square feet. At that time, FNSBC 49.15.030 stated that “lots of record, or uses of land or structures existing at the time of adoption of, or amendment to, this ordinance may be continued even though they do not conform to the standards established by this ordinance”. FNSBC 49.15.020 defined lot of record as “a plot of land, the description of which has been recorded in the office of the District Magistrate”. The subject parcel qualified as a “lot of record” as defined by the legal non-conforming (grandfather rights) code section in place at that time. Therefore, although the lot was undersized for the RA-5 zone, it was created before the RA-5 zone was put into place and was a legal non-conforming lot. With the filing of a Right of Way Deed on March, 12, 2018, the State of Alaska acquired 4,440 square feet from the property for right-of-way for the McGrath Road Upgrades, leaving the parcel at the current lot size of 91,392 square feet. FNSBC18.84 requires a 200,000 square foot minimum lot size for the subject parcel and FNSBC 18.104.070 allows that a variance to this numerical standard as a direct result of the right-of-way acquisition can be obtained to be in compliance with Title 18. Additionally, state statute requires AKDOT & PF to comply with local planning and zoning ordinances (AS 35.30.020). This statute went into effect in 1977 and requires AKDOT & PF to obtain a variance for right-of-way acquisition for current projects. The lot size had not been previously altered prior to the right-of-way acquisition by the State of Alaska in 2018.

![Figure 2: Zoning Map](image-url)
C. Nearby Variances

DOT & PF has also concurrently applied for one other lot size variance related to the McGrath Road Upgrade project. The parcel considered in that case is approximately 720 feet north along McGrath Road from the subject parcel in this proposed variance. There are no other nearby variances. There has only been one other variance request within 2,000 feet of the subject property and it was a setback variance that was approved in 2014 (V2015-002).

D. FNSB Code of Ordinances: Title 18 Variance Application Standards

1. Whether special conditions exist which are peculiar to the property involved and which are not applicable to other property in the same zoning district.

The special condition affecting the subject property is the right-of-way acquisition required for the McGrath Road Upgrade project. The lot was a legal non-conforming lot because of size and was reduced by 4,440 square feet for a right-of-way acquisition in the 2018 McGrath Road Upgrade. The applicant’s narrative states that the property was acquired to “accommodate the slightly realigned centerline.” The special condition was the result of highway projects in support of the overall health, safety, and welfare by creating a safer highway system. The special condition is unique to properties abutting the project area. This right-of-way acquisition was not initiated or caused by the property owner. The property owner was compensated at fair market value for the land acquired.

2. Whether strict interpretation of this title would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district.

The subject property is developed with a single family dwelling unit and is in the immediate area is a residential neighborhood. Various zoning classifications exist around the lot (See Figure 2), but are all residential although they vary in density and construction type. With the approved variance the current property owner will be able to use the existing property for his current residence or for a number of allowed uses in the RA-5 zone. Denial of the proposed variance would deprive the applicant the use of their property in a manner as permitted to the owners of the aforementioned properties in the immediate area. Denial of the variance would require DOT to purchase the entire parcel, thus depriving the current owner of its use. The substandard lot does not comply with Title 18 requirements without a variance.

E. FNSB Code of Ordinances: Title 18 Variance Approval Criteria
1. Whether the proposed variance conforms to the intent and purpose of this title and of other ordinances and Alaska Statutes.

**Purpose of FNSBC Title 18:** The purpose of Title 18 is “to implement the Fairbanks North Star Borough comprehensive plan” (FNSBC 18.12.020). The application materials are supported by Transportation and Infrastructure Goal 1 “To have a safe, efficient, multi-modal transportation system that anticipates community growth”. They also align with Land Use Goal 1, Strategy 3 of the FNSB Regional Comprehensive Plan, which is to “work to reduce to the fullest extent possible the natural conflict that develops between private property rights and community needs and interests.” The proposed variance resolves the conflict created by right-of-way acquisition that takes a privately owned property out of compliance with Title 18 standards. The proposed variance is also consistent with the *Perimeter Area* designation, which is defined as an:

“*Area generally within a 10 to 20 minute travel time of urban destinations, and which contains primarily residential use; variable densities are encouraged providing they are compatible with the surrounding community, sensitive to natural systems and have adequate water and sewer facilities.*”

**Intent of FNSBC Title 18:** The intent of Title 18 is “to protect private property rights, to promote the public health, safety and general welfare of the residents of the borough, and safety from fire and to promote the efficient distribution of water, sewage, schools, parks and other public requirements; to provide safe traffic flow on the public streets; to promote economic development and the growth of private enterprise; and to divide the borough into districts (FNSBC 18.12.020).”

Allowing an owner to develop their private property is an example of protecting private property rights within the parameters of local zoning regulations. The public notification, public hearing procedures and approval criteria for variances protect the property rights of the surrounding property owners.

This proposed variance will promote the public health, safety, and welfare because it will not create any fire, traffic, or safety hazards by allowing for sufficient area for highway project improvements. The minimum lot size requirement in the RA-5 zone is intended, in part, to allow for adequate area and separation for well and wastewater systems on site. The proposed variance is not expected to create any health, safety, or welfare concerns because the parcel is still large enough to maintain an acceptable distance between the well and septic systems on the lot. All setback requirements are met.

**Alaska State Statute and Other Ordinances:** The site is in the FNSB Perimeter Area and complies with the FNSB Comprehensive Plan and other ordinances. State statute requires AKDOT & PF to comply with local planning and zoning ordinances (*AS 35.30.020*). This statute went into effect in 1977 and requires AKDOT & PF to obtain a variance for right-of-way acquisition for current projects. The proposed variance complies with Alaska Statute 29.40.040(b) regarding requirements for variances.
FNSBC 18.104.070 allows the Planning Commission to grant variances to the numerical standards of Title 18 that are the direct result of right-of-way acquisition for highway projects.

2. **Whether the denial of the proposed variance will deprive the property owner of the use of property in a manner similar to the use permitted to be made by the owners of property in the immediate area;**

See Section D2 for narrative.

3. **Whether or not the proposed variance will adversely affect the public health, safety and welfare, traffic or parking conditions, or increase the danger of fire.**

The proposed variance will protect the public health, safety and welfare by accommodating the development of the McGrath Road Upgrade project, which improves road safety issues including curve geometry and sight distance. The proposed variance would not create additional fire hazard concerns because the area acquired for right-of-way is adjacent to McGrath Road. The RA-5 zone does require setbacks and the right-of-way acquisitions did decrease the distance between right-of-way and existing structures, however it still meets the required 35 foot front yard setback.

F. **State of Alaska Statutes: Title 29 Variance Approval Criteria**

   **Section 29.40.040(b).** A variance from a land use regulation may not be granted if:

1. **Special conditions that require the variance are caused by the property owner seeking the variance;**

   See Section D1 for narrative.

2. **The variance will permit a land use in a district in which that use is prohibited; or**

   A residential use is permitted in the RA-5 zone. This lot is developed with a private residential home.

3. **The variance is sought solely to relieve pecuniary hardship or inconvenience.**

   The proposed variance is not sought to relieve pecuniary hardship. This request will fulfill state and FNSB procedural requirements created by the development of the roadway project. The variance will allow the subject lot to regain compliance with Title 18 regarding lot size.
VI. RECOMMENDATION

Based on the staff analysis, the Department of Community Planning recommends APPROVAL of the requested 4,440 square foot variance from the existing legal non-conforming lot size of 95,832 square feet in the RA-5 zone with one (1) condition and 16 findings of fact.

VII. CONDITIONS

1. Owner’s authorization is required for the variance approval to be valid. AKDOT & PF shall provide a copy of such written authority to the Fairbanks North Star Borough Community Planning Department.

VIII. FINDINGS OF FACT

The Department of Community Planning further recommends adoption of the staff report and the following Findings of Fact in support of approval:

1. This land was originally patented on December 16, 1925. There was no zoning for this area in 1925.

2. On April 4, 1967 the lot was created by Warranty Deed. At that time it was a legal lot size as there were no zoning requirements or restrictions on lot size.

3. The “Lot of Record” is defined as “a plot of land, the description of which has been recorded in the office of the District Magistrate.”

4. When the area was initially zoned in 1968 it was zoned as Unrestricted Use (UU) and at that time did not have a minimum lot size requirement.

5. In 1971 the lot was rezoned to General Agriculture with a 200,000 square foot minimum lot size.

6. Although the lot was undersized for the GA zone it was of a legal size when created, so this action made the lot Legal Non-Conforming.

7. The acquisition of 4440 square feet of right-of-way for the McGrath Road Upgrade project was acquired in February 2018. The lot will no longer be a legal non-conforming lot without the granting of a variance. The special condition requiring a variance was the property acquisition by AKDOT for the McGrath Road Upgrade Project.

8. This right-of-way acquisition will also require re-platting of this lot.

9. The proposed variance conforms to the intent and purpose of this title and of other ordinances and Alaska Statutes because it is consistent with the FNSB
Comprehensive Plan Transportation and Infrastructure Goal 1 “To have a safe, efficient, multi-modal transportation system that anticipates community growth”. Land Use Goal 1 Strategy 3, protects private property rights, and promotes the public health, safety, and welfare by improved geometrics and sight distance on McGrath Road.

10. With the acquisition of the right-of-way, there is still adequate distance between the well and septic on the lot to maintain Health Safety, and Welfare concerns.

11. FNSBC 18.104.070 allows the Planning Commission to grant variances to the numerical standards of Title 18 that are the direct result of right-of-way acquisition for highway projects.

12. Neighboring property owners have developed their properties with a variety of residential uses. With the approved variance the current property owner will be able to use the existing property for the current residential use or for a number of allowed uses in the RA-5 zone, as the surrounding properties have been allowed.

13. Denial of the proposed variance would deprive the applicant the use of their property in a manner as permitted to the owners of properties in the immediate area. Denial of the Variance would require DOT to purchase the entire parcel, thus depriving the current owners of its use. The substandard lot does not comply with Title 18 requirements without a variance.

14. The proposed variance is needed to be in compliance with Title 18 is the result of property acquisition for the McGrath Road Upgrade project.

**DRAFT PLANNING COMMISSION MOTION:**

I move to approve the requested 4,440 square foot variance from the legal non-conforming lot size of 95,832 square feet in the RA-5 zone which has a 200,000 square feet minimum lot size to allow for a lot of 91,392 square feet; with one (1) condition, adopting the staff report and fourteen (14) Findings of Fact in support of the decision.

**Attachments**

1: Staff Report for Local Planning Authority Approval  
2: Local Planning Authority Approval Action Letter  
3: Variance Application  
4: Grand Father Rights Analysis
STAFF REPORT

TO: Fairbanks North Star Borough Planning Commission
FROM: Donald C. Galligan, AICP
Planner IV – Transportation
Department of Community Planning
DATE: July 18, 2017
SUBJECT: HP2017-005 McGrath Road Updates: A request by the Department of Transportation and Public Facilities for local planning authority approval of the McGrath Road Upgrade project. This project proposes to upgrade approximately 2.9 miles of McGrath Road from Farmers Loop Road to the Old Steese Highway with a new surface and safety improvements like widened shoulders and guardrail improvements. This project is anticipated to require right-of-way acquisition.

I. GENERAL INFORMATION

A. Applicant: State of Alaska
Department of Transportation & Public Facilities
2301 Peger Road
Fairbanks, AK 99701

B. Location: McGrath Road from the Intersection with Farmers Loop Road, extending approximately 2.9 miles to the Old Steese Highway.

C. Right-of-Way Right-of-way acquisition required. These are partial lot acquisitions from approximately nine parcels.

D. Current Zoning: The roadway is primarily surrounded by Rural Agriculture-5, Rural Estate -2, Multi-Family and Rural Residential.

E. Comprehensive Plan: Perimeter Area

F. FEMA Flood Hazard: Flood Zone X: Not in a special flood hazard area

II. ANALYSIS

Current Conditions

McGrath Road is classified as a Major Collector. It is within the FMATS metropolitan planning area (MPA) and provides access to residential roads and the arterial network. The improvement extends from Farmer’s Loop Road approximately 2.9 miles to the north east to an intersection with the Old Steese Highway. The roadway forks prior its intersection with the Old Steese and currently has two 2-way intersections within 150 feet of each other on
Old Steese Highway. The improvement calls for the northernmost of these accesses to be closed. (See Figure 1). Currently the roadway is approximately 22 feet wide two-lane paved surface and has several substandard curves that will be straightened to a degree to improve safety on the road. (see Figure 2) On the western side of the road from Farmer’s Loop Road to Willow Grouse Road is a separated Bicycle/Pedestrian facility. (See Figure 3).

Figure 1—Project vicinity map.
Figure 2—Sharp curves will be slightly realigned to improve upon visibility and safety.

Figure 3—Existing separated Bicycle/Pedestrian facility on west side of road.
The average annual daily traffic count on McGrath Road is currently 2,000 vehicles per day, which is forecast to increase to 2,530 vehicles per day in 2025, and to 3,240 vehicles per day in 2045. Farmers Loop which is the western terminus of McGrath currently experiences approximately 5,280 AADT. (see Figure 4)

Zoning

There are four primary zoning districts that abut McGrath Road; they are Multi-Family (MF), Rural Residential (RR), Residential Estate-2 (RE-2), and Rural Agriculture-5 (RA-5). (see Figure 5) RR is the most prevalent, followed by RA-5, and finally there are a few pockets of RE-2, and one area of MF that also abuts the corridor. Of the 4 zones, MF is the most intensive allowing residential development on lots as small as 5,000 square feet. The area on McGrath Road designated MF has a conditional use Mobile Home Park on it. RR is a less dense residential zone with the minimum lot size being 40,000 square feet. RE-2 is less dense still, requiring a minimum lot size of 80,000 square feet. Finally RA-5 is least intensive with a minimum lot size of 160,000 square feet.

McGrath Road is surrounded by residential properties. RR is prevalent in the northern portion of the corridor and RA-5 is prevalent to the south. There is one area about the middle of the corridor that is classified as MF that has a number of mobile home lots. Finally there are two
areas of RE-2 that abut the corridor. One is in the central portion of the corridor around Rambling Road, and one is just south of the Multi-Family zone around Lanni Avenue.

Figure 5—Current zoning map

Proposed Improvements

The primary goals are to enhance the structural integrity of the road, improve safety and extend useful service life. The existing facility has eleven feet or narrower lanes and little to no shoulders from beginning to the end of the project area. There is a mostly separated bicycle/pedestrian pathway from the beginning of the project at Farmers Loop to Willow Grouse Road.

The project will add 3 foot shoulders from Farmer’s Loop Road to Willow Grouse Road and widen the road from Willow Grouse Road to the project’s end to provide a consistent 24 foot paved total top width to enhance safety.

Proposed improvements include:
• Reconstruct existing bicycle/pedestrian path, including realignment as needed
• Establish 3 foot shoulder for lower portion of corridor (Farmer’s Loop to Willow Grouse Road).
• Replace, repair or clean existing culverts.
• Install new culverts.
• Construct mailbox turnouts where feasible.
• Reduce the number and severity of sharp curves in the alignment.
• Rebuild and pave driveways and aprons.
• Clear areas of obstructions beyond shoulders.
• Establish 24 foot paved total top width with a 1 foot shoulder for upper portion of corridor (Willow Grouse Road to Old Steese).

Figure 6—RSA service areas.
Typical Section(S)

The proposed typical section is a paved two-lane two-way roadway:

- 11 foot driving lanes
- 3 foot shoulders from the beginning of the project to Willow Grouse Road
- 1 foot shoulder from Willow Grouse Road to the end of the project and McGrath Wye
- 2% crowned cross slope
- Separated 11 foot bicycle/pedestrian path from the beginning of the project to Willow Grouse Road
- Variable foreslopes throughout project.

The proposed typical sections are shown in Figure 7.

Figure 7--Proposed typical sections
Right-Of-Way Requirements

The acquisition of minor additional right of way will be required from several parcels. A total of 9 properties are affected due to utility relocation, and thin slivers of right-of-way are needed on the edges of lots to relocate utility poles. A right-of-way report is available in the appendix to see where the parcels are located and how much land is being purchased.

Temporary Construction Permits will be obtained for driveway reconstruction as needed.

If any right-of-way is needed from substandard sized lots as determined by zoning classification, a lot size variance will be required by FNSB. As presented, 4 of the 9 properties will need lot size variances.

Maintenance Considerations

McGrath Road is currently maintained by DOT&PF, and that is not expected to change with this project. Overall this project is anticipated to reduce maintenance costs. Maintenance will be affected by the following:

- Road reconstruction will reduce the patching/leveling efforts required to keep the surface drivable.
- Drainage improvement and slope flattening will help protect the embankment from water damage reducing maintenance effort.
- Construction of shoulders will reduce pavement spalling in the driving lanes reducing maintenance effort.
- Increased width will result in increased lane miles for snow plowing, however this added cost is anticipated to be balanced out by the improvements to the structural section and drainage, resulting in a net decrease in maintenance costs.
- Moving the primary entrance on Old Steese Hwy and removing the duplicate access point will result in fewer lane miles needing maintenance.

Utility Relocation & Coordination

Multiple utilities cross and run longitudinally along much of the project. Utility conflicts requiring relocation or adjustment include relocation of multiple utility poles, relocation of buried communication cable, and relocation or adjustment of telephone pedestals.

New locations and elevations of utilities will be coordinated with the proposed roadway improvements. Utility relocations may require the creation of a public utility easement and temporary constructions easements.

No betterment of utilities is anticipated.


A separated pedestrian/bicycle facility is present from McGrath Road’s intersection with Farmers Loop Road to the intersection of Willow Grouse Road. The existing bicycle/pedestrian facility is being reconfigured to provide a consistent offset to improve maintainability and provide a more consistent user experience.

The shoulders of McGrath Road are being widened to varying degrees throughout the complete corridor. In accordance with the Public Rights-of-Way Accessibility Guidelines (as directed by Section 5.1.1 of the AASHTO Guide for the Development of Bicycle Facilities, 4th Edition, 2012)
the grade of the separated multi-use path will not exceed the general grade of the adjacent McGrath Road. The path is contained within the highway right-of-way.

Safety Improvements

Safety improvements include:
- Rehabilitation of the road will remove heave and frost damage which will improve the driving surface.
- A continuous wider shoulder will provide more area for pedestrians and bicyclists to safely utilize the road.
- Guardrail will be replaced with compliant barrier and end terminals.
- Removal of existing sharp curves.
- Creating a consistent 5 foot separation between the path and roadway.
- Damage from ATVs will be fixed in the area between the roadway surface and the multi-use pathway.
- Removal of the duplicate access point will remove a section of 11% grade leading into a sharp curve.

Cost

The estimated cost for this project is as follows:

<p>| | |</p>
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</thead>
<tbody>
<tr>
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<tr>
<td>Utilities</td>
<td>$250,000</td>
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<tr>
<td>Construction</td>
<td>$5,600,000</td>
</tr>
<tr>
<td><strong>Total Cost of Project</strong></td>
<td><strong>$7,059,541</strong></td>
</tr>
</tbody>
</table>

Staff Analysis

McGrath Road is a Major Collector and the improvements proposed are in line with a roadway of this classification.

The proposed improvements to McGrath Road will greatly benefit the residents along the roadway as well as the travelling public. As planned, the improvements are expected to make McGrath Road safer by increasing the width of the roadway surface by adding a 3 foot shoulder on each side of the roadway, upgrading guardrail where it is needed to improve safety, and improving the bicycle and pedestrian pathway making it safer and more uniform in its function. Adding shoulders to the roadway improves safety in several ways. First, it gives drivers an area to recover if they drift off the main portion of the roadway, second it provides greater clearance and sight distance to see animals that may be on or beside the road. This project will also improve the drainage of the road by reestablishing borrow pits and ditches and fixing or replacing culverts under intersecting roads and driveways. This project also improves safety for cyclists and pedestrians by realigning the separated pathway to be a uniform distance from the roadway surface, and improving the surface and drainage of the existing pathway.

This project is consistent with the FNSB Comprehensive Road Plan, which establishes McGrath Road as a major collector within the urban area. This project is consistent with the overall FNSB Comprehensive plan as well. The most pertinent portion of the plan that applies is Transportation and Infrastructure Goal 1, Strategy 1, Action C): “Ensure that road designs improve safety and minimize adverse impacts…Reduce wildlife
interactions…Integrate Pedestrian Friendly sidewalks and bike trails.” Also, Action D) states: “Retain the Integrity of neighborhoods as the road network expands”. Strategy 3 states: “Make the Borough more pedestrian-friendly in urban and suburban areas and safer in rural and remote areas. Strategy 4 states: “Integrate safe Multi-use trail circulation into road networks and maintain multi-use trails for commuter and recreational purposes”. Action B) Encourage use of non-motorized transportation systems.

The upgrades and standardization of the separated pathway will improve safety, promote a pedestrian and bicycle friendly environment and further serve to integrate bicycle and pedestrian improvements into the roadway network.

This project is expected to improve safety by replacing areas of guardrail that have become functionally obsolete, as well as all the improvements cited above. It will eliminate several sharp curves and construct shoulders for the entire length of the project.

This area is designated as a Perimeter Area in the Comprehensive Plan. It has been developing as a perimeter area as expected. The improvements to McGrath Road will allow this area to continue its development as a designated perimeter area.

The FNSB Assembly has final local planning authority approval authority over this project because the project proposes right-of-way acquisition and closure of a road segment. This project has been scheduled as a “non-significant public hearing” agenda item before the FNSB Planning Commission in accordance with the Memorandum of Understanding (MOU) between the FNSB and DOT&PF. It is considered “Non-Significant” as there is expected to be little controversy in this action by DOT, and the vast majority of local property owners appear to consider this project as an improvement, overdue, and necessary.

Public involvement

The DOT held a public open house on March 31, 2015. In addition the FNSB Community Planning department sent out 690 DPO letters that also solicited comment. We received 6 letters back with written comments. Every letter received is in support of the project moving forward, and soon. We received one e-mail comment that was in support of the project as well, however they requested that the portion of McGrath Road proposed to be closed, remain open for bicycles and pedestrians.

III. RECOMMENDATION

Based on the staff analysis above, the Department of Community Planning recommends that the Planning Commission recommend APPRAVAL of HP2017-005 to the FNSB Assembly as being consistent with the Comprehensive Plan, adopting the staff report, and a resolution in support of HP2017-005.

IV. FINDINGS

The Department of Community Planning recommends adoption of the following Findings of Fact in support of conditional approval, as stated in the Fairbanks North Star Borough Regional Comprehensive Plan:

1. This project supports Goal 1, Strategy 1, Action C (“Ensure that road designs improve safety and minimize adverse impacts”) of the Transportation Section of the Fairbanks North Star Borough Comprehensive Plan.
This project is expected to improve safety by replacing areas of guardrail that have become functionally obsolete, as well as all the improvements cited above. It will eliminate several sharp curves and construct shoulders for the entire length of the project.

2. Goal 1, Strategy 1, Action D) states: “Retain the Integrity of neighborhoods as the road network expands”.

The expansion of McGrath Road will enhance safety in the neighborhoods it serves, as well as make better community connections possible by improving the Bicycle and Pedestrian separated pathway.

3. Strategy 3 states: “Make the Borough more pedestrian-friendly in urban and suburban areas and safer in rural and remote areas”.

Standardizing the Bicycle and Pedestrian pathway increases safety for the user and improves pedestrian connections within the area.


The improvement to the multi-use pathway enhances safe circulation into road networks and encourages use of non-motorized transportation.

V. ATTACHMENTS

Attachment A—ADOT&PF Design Study Report
Attachment B—ADOT&PF Preliminary Right-Of-Way Map
Attachment C – Received DPOs
STATE OF ALASKA
DEPARTMENT OF TRANSPORTATION
&
PUBLIC FACILITIES

RIGHT OF WAY MAP
Z628380000
McGRATH ROAD UPDATES

WITHIN SECTIONS 13, 24, AND 25 T. 01 N., R. 01 W., F.M., ALASKA
AND SECTIONS 18 AND 19, T. 01 N., R. 01 E., F.M., ALASKA
FAIRBANKS RECORDING DISTRICT
STATE BUSINESS, NO CHARGE

BEGINNING OF PROJECT
025° 12+00

BEGIN R.O.W. ACQUISITION
025° 16+32.24

END R.O.W. ACQUISITION
025° 162+86.23

END OF PROJECT
025° 162+96.23

PRELIMINARY

LENGTH OF PROJECT: 3.086 MILES
DESIGN APPROVAL

MCGRATH ROAD UPGRADE

PROJECT NO. Z62838000/0002300

Requested by: Lauren M. Little, P.E.
Engineering Manager
Northern Region

3/7/2017

Date

Design Approval Granted: Sarah Schacher, P.E.
Preconstruction Engineer
Northern Region

3/8/2017

Date

Distribution: NR Design Directive 16-02 Distribution
DESIGN STUDY REPORT
FOR

MCGRATH ROAD

PROJECT NO. Z628380000/0002300

PREPARED BY: Erik Brunner

UNDERR THE SUPERVISION OF: Lauren M. Little, P.E.
MCGRATH ROAD UPGRADE
PROJECT NO, Z628380000/0002300

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INTRODUCTION/HISTORY

The Alaska Department of Transportation and Public Facilities (DOT&PF), in cooperation with the Federal Highway Administration is proposing the McGrath Road Upgrades project.

McGrath Road services an area of subdivisions and trailer courts and connects the Old Steese Highway and Farmers Loop Road. McGrath Road was surfaced in 1968 and in 1980 saw a minor realignment and resurfacing project. In 2000 a detached bicycle/pedestrian facility was constructed from Farmers Loop Road to Willow Grouse road on the west side of the road.

Historically the two lane roadway has exhibited moderate to severe structural issues. These problems result in continual efforts from the Maintenance and Operations Section (M&O) to maintain the facility. Inconsistent to non-existent shoulders provide little refuge area for drivers to use in an emergency.

The project vicinity is shown in Figure 1.
Figure 1. Project Location and Vicinity Map
PROJECT DESCRIPTION
McGrath Road is situated within the Fairbanks North Star Borough north of Fairbanks, Alaska. The Beginning of Project (BOP) is at Coordinated Data System mile point (CDS MP) 2.8796 at Farmers Loop Road. The End of Project (EOP) is at CDS MP 0 at the Old Steese Highway. Mile points run opposite of as-built stationing.

The primary goals are to enhance the structural integrity of the highway, enhance safety and extend useful service life. The existing facility has nominal 11 foot or less lanes and little to no shoulders from BOP to EOP. There is a mostly detached pedestrian facility from the BOP to Willow Grouse Road. Culverts, driveways, and clusters of mailboxes are present throughout the corridor. Sideslopes vary throughout the project depending primarily on embankment height.

The project will add 3 foot shoulders from Farmer’s Loop Road to Willow Grouse Road and widen the road from Willow Grouse Road to EOP to provide a consistent 24 foot paved total top width to enhance safety.

Proposed improvements include:
- Reconstruct existing pedestrian path, including realignment as needed
- Establish 3 foot shoulder for lower portion of corridor (Farmer’s Loop to Willow Grouse Road).
- Replace, repair or clean existing culverts.
- Install new culverts.
- Construct mailbox turnouts where feasible.
- Reduce the number and severity of compound curves in the alignment.
- Rebuild and pave driveways and approaches.
- Clear embankment foreslopes and backslopes.
- Establish 24 foot paved total top width with a 1 foot shouldering detail for upper portion of corridor (Willow Grouse Road to EOP).

DESIGN STANDARDS
The design of this project is based on:
- State of Alaska, DOT&PF’s Highway Preconstruction Manual (PCM)
- AASHTO’s A Policy on Geometric Design of Highways and Streets, 2011 (Green Book)

DESIGN EXCEPTIONS AND DESIGN WAIVERS
A radius of curvature design exception will be prepared for the upper portion.

DESIGN ALTERNATIVES
Three initial design alternatives for the lower section of the road were brought forward.

These alternatives were constructing a 24 foot top and maintaining the existing detached path, constructing a 40 foot top and removing existing detached path and constructing a 30 foot top and maintaining the existing path.

Input from the materials sections after completion of investigative drilling resulted in an alternative typical section for the lower section of the project which widened the roadway about its existing centerline, realigned the existing pedestrian facility and filled/removed the existing ditch between the roadway and path.

A grade raise was suggested but slope flattening will be used to push water further from the structural section of the road.

Moving the path closer to the road will also increase the opportunity for effective water management between the path and right-of-way.

Currently McGrath Road continues on a steep and curved alignment to the Old Steese Highway, and another connection to the Old Steese Highway, along McGrath Road Wye exists. During the safety analysis for this project, it was proposed that McGrath Road terminate at McGrath Road Wye, and McGrath Road Wye would be the only connection to the Old Steese Highway. The roadway geometrics for McGrath Road Wye are less steep, and improved intersection sight distance can be provided by utilizing this route. The property adjacent to this section of roadway is undeveloped, as is the portion of McGrath Road that will be terminated. No property will be cut off from access to McGrath Road with this alternative.

**PREFERRED DESIGN ALTERNATIVE**

The preferred alternative for the lower section of the project is a 28 foot total top width consisting of two 11 foot lanes with 3 foot shoulders for the lower portion and construction of a separated pedestrian facility to replace the existing detached path. This widens the road symmetrically about the existing centerline for the majority of the project in as suggested in the projects geotechnical report. The upper portion of the project will be brought to a consistent 24 foot paved total top width consisting of two 11 foot lanes with one foot paved shoulders.

McGrath Road will be terminated at McGrath Road Wye, and McGrath Road Wye will be improved to have consistent top width matching the upper portion of McGrath Road and the intersection with the Old Steese Highway will be realigned slightly to improve sight distance.

**3R ANALYSIS**

Not applicable. This is a reconstruction project.

**TRAFFIC ANALYSIS**
A traffic analysis was not performed. Shoulders were added to both protect the travelled way pavement edge from raveling and to provide a space for cyclists choosing to use the roadway. The functional classification for McGrath Road is urban major collector, and traffic is anticipated to increase at a rate of 1.25% per year. Traffic values are:

<table>
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<th>Predicted 2045</th>
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<td>ADT (2Way)</td>
<td>2150</td>
<td>2530</td>
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<td>DHV (11.4%)</td>
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<td>290</td>
<td>370</td>
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**HORIZONTAL/VERTICAL ALIGNMENT**

The horizontal alignment between Farmers Loop Road and Willow Grouse will be shifted to the east where necessary to create clearance from the separated pedestrian path and existing compound curves will be removed. From Willow Grouse to the intersection with the Old Steese the alignment will be straightened to the extent practical and compound curves removed while remaining within the existing ROW.

McGrath Road currently intersects the Old Steese at two points. The existing primary access point will be closed and the portion of the road known as the “Wye” will become the only access point for the roadway. Minor horizontal realignment within the existing right of way will be necessary at McGrath Road’s intersection with the Old Steese to create a skew angle closer to 90 degrees at the intersection formerly known as the “Wye” with McGrath Road.

The vertical alignment throughout the project will primarily remain as existing with only minor grade adjustments anticipated. Abandoning McGrath Road from the McGrath Road Wye intersection east will remove an 11% grade leading into a substandard radius curve from the project.

**TYPICAL SECTION(S)**

The proposed typical section is a paved two-lane two-way roadway:

- 11 foot driving lanes
- 3 foot shoulders from BOP to Willow Grouse Road
- 1 foot shoulder from Willow Grouse Road to EOP and McGrath Wye
- 2% crowned cross slope
- Separated 11 foot pedestrian facility project left from BOP to Willow Grouse Road
- Variable foreslopes throughout project.

The proposed typical sections are shown in Figure 2.
PAVEMENT DESIGN

Pavement design calculations for a 15-year design life were performed using the AFPD program and manual. Heavy vehicles consisted of 4.5% of total traffic volume with equivalent single-axle loads of 206,132. The pavement structure for the upper segment satisfies the requirements of the mechanistic design method and DOT&PF’s stabilized base policy.

The two proposed lower section pavement structures will consist of an insulated section and an un-insulated section dependent on subsurface conditions.

The insulated section will consist of:
- 2 inches of asphalt concrete
- 3 inches of Asphalt Treated Base (ATB)
- 8 inches of Subbase, Grading “F”
- 24 inches of Selected Material, Type “A”
- 8 inches of Subbase, Grading “F”
- 4 inches of insulation board
- Two 12 inch layers of Subbase Type “F” separated by Type 1 geotextile reinforcement fabric with Type 1 fabric placed at the excavation bottom

The un-insulated section will consist of:
- 2 inches of asphalt concrete
- 3 inches of ATB
- 8 inches of Subbase, Grading “F”
- 36 inches of Selected Material, Type “A”
- Two 12 inch layers of Subbase, Grading “F” separated by Type 1 geotextile reinforcement fabric with Type 1 fabric placed at the excavation bottom

Contingent of the granting of a stabilized base policy waiver, the upper segment section will consist of:
- 2 inches of asphalt concrete
- 6 inches of aggregate base course, grading D-1

PRELIMINARY BRIDGE LAYOUT

Not applicable. There are no bridges within the project limits.

RIGHT-OF-WAY REQUIREMENTS

The acquisition of minor additional right of way will be required from FNSB parcels TL-1322, TL-2429, TL-2412, TL-2410 and TL-2525.

Temporary Construction Permits will be obtained for driveway reconstruction as needed.
MAINTENANCE CONSIDERATIONS

McGrath Road is currently maintained by DOT&PF. Overall this project is anticipated to reduce maintenance costs. Maintenance will be affected by the following:

- Road reconstruction will reduce the patching/leveling efforts required to keep the surface drivable.
- Drainage improvement and slope flattening will help protect the embankment from water damage reducing maintenance effort.
- Construction of shoulders will reduce pavement spalling in the driving lanes reducing maintenance effort.
- Increased width will result in increased lane miles for snow plowing, however this added cost is anticipated to be balanced out by the improvements to the structural section and drainage, resulting in a net decrease in maintenance costs.
- Moving the primary entrance and removing the duplicate access point will result in fewer lane miles needing maintenance.

MATERIAL SOURCES

Material sources for this project will be contractor furnished; sufficient material in quantity and quality are available from private sources in the area.

UTILITY RELOCATION & COORDINATION

Multiple utilities cross and run longitudinally along much of the project. Utility conflicts requiring relocation or adjustment include:

- Relocation of multiple utility poles.
- Relocation of buried communication cable and relocation or adjustment of telephone pedestals.

New locations and elevations of utilities will be coordinated with the proposed roadway improvements. Utility relocations may require the creation of a public utility easement and temporary constructions easements.

No betterment of utilities is anticipated.

ACCESS CONTROL FEATURES

McGrath Road is not a controlled access facility. Common access is controlled by the driveway permit process.

PEDESTRIAN/BICYCLE (ADA) PROVISIONS

A separated pedestrian/bicycle facility is present from McGrath Road’s intersection with Farmers Loop Road to the intersection of Willow Grouse Road. The existing pedestrian facility
is being reconfigured to provide a consistent offset to improve maintainability and provide a more consistent user experience.

The shoulders of McGrath Road are being widened to varying degrees throughout the complete corridor.

In accordance with the Public Rights-of-Way Accessibility Guidelines (as directed by Section 5.1.1 of the Bike Book) the grade of the separated multi-use path will not exceed the general grade of the adjacent McGrath Road. The path is contained within the highway right-of-way.

SAFETY IMPROVEMENTS

Safety improvements include:
- Rehabilitation of the road will remove heave and frost damage which will improve the driving surface.
- A continuous wider shoulder will provide more area for pedestrians and bicyclists to safely utilize the road.
- Guardrail will be replaced with compliant barrier and end terminals.
- Removal of existing compound curves.
- Creating a consistent 5 foot separation between the path and roadway.
- Road foreslopes will be reconstructed removing several areas of significant over-steepening caused by ATV’s driving in the ditch between the roadway and multi-use path.
- Removal of the duplicate access point will remove a section of 11% grade leading into a substandard radius curve.

INTELLIGENT TRANSPORTATION SYSTEM FEATURES

Not applicable. There are no intelligent transportation system features within the project limits and none will be constructed.

DRAINAGE

The primary drainage pattern is southeast flowing off the hillside to the flats at its base and Isabella Creek which passes through Farmers Loop Road in culverts. Mean annual precipitation is 10.53 inches. The crowned roadway and separated multi-use path will shed water to both sides of the road and path, into ditches designed to convey the water down gradient through cross culverts and approach culverts. Poor functioning drainage in combination with foundation movement from geological and thermal processes has resulted in water being trapped in places on the ditch on the north side of the path embankment resulting in pooling. Drainage improvements include:
- Cleaning existing culverts
- Ditch reconditioning
- Culvert replacement
- Additional culvert installation
Post construction of drainage improvements, “Best Management Practices” (BMPs) will be implemented to reduce the potential for erosion of soil and other contaminants from storm water from entering waters of the United States. BMP’s will consist of:
  - Permanent seeding

**SOIL CONDITIONS**

McGrath Road is located in the Yukon-Tanana Upland physiographic section of Alaska. The terrain consists of low mountains, plateaus and highland with summits from 1,000 to 5,000 feet above sea level.

McGrath Road generally consists of 0.1 to 1.0-feet of asphalt concrete over 3 feet of rounded alluvial fill mixed with sand and silt underlain by wind-blown loess with moisture content between 22 and 42%. Frozen soils were intercepted in several test holes.

McGrath Road multi-use path generally consists of 0.1 to 0.3- feet of asphalt concrete over 2 to 5 feet of well graded alluvial gravel with sand underlain by very loose loess. Groundwater was intercepted perched on seasonal frost and beneath the seasonal frost layers.

McGrath Road is located in the Continental Climatic Zone of Alaska. The climate is characterized by large daily and annual temperature variation, in addition to low precipitation, cloudiness and humidity.

The project area experiences an average of 13917 heating degree days and 58 cooling degree days for a 65 degree base temperature.

**EROSION AND SEDIMENT CONTROL**

The project will include an Erosion and Sediment Control Plan (ESCP). This plan will describe BMPs that may be used during construction and serve as a guide for SWPPP development.

The primary potential for erosion occurs where shoulders are widened, mailbox turnouts are constructed and new culverts installed. Embankment slopes will not be constructed steeper than 2:1. Slopes will be seeded to provide temporary and permanent erosion protection.

Perimeter control, inlet/outlet control at culverts, soil stabilization, construction scheduling and other measures as described in the ESCP will be used as appropriate to prevent or retain storm water runoff.

**ENVIRONMENTAL COMMITMENTS**

**PERMITS-** The following permits will be required:
  - United States Army Corps of Engineers, section 404

  **WETLANDS-** Mitigation for temporary and permanent impacts will be accomplished by in lieu fee payments.
There are no additional environmental commitments beyond compliance with permits and the contract for this project.

**WORK ZONE TRAFFIC CONTROL**

This project is not considered significant for traffic control per DOT&PF’s Policy and Procedure 05.05.015. Single lane through traffic will be maintained through the work zone, practical alternate routes will be maintained. Complete road closures are not anticipated.

**VALUE ENGINEERING**

This federally funded project does not meet the criteria for a Value Engineering (VE) analysis; McGrath Road is not a National Highway System route nor does the total cost exceed $50M.

**COST ESTIMATE**

The estimated costs for this project are as follows:

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<th>Description</th>
<th>Cost</th>
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<tr>
<td>Utilities</td>
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</tr>
<tr>
<td>Right of Way</td>
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<tr>
<td>Construction (Includes 15% Engineering)</td>
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<tr>
<td><strong>Total Cost of Project</strong></td>
<td><strong>$7,059,541.00</strong></td>
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APPENDIX A

DESIGN CRITERIA
AND
DESIGN DESIGNATION
## ALASKA DOT&PF PRECONSTRUCTION MANUAL
### Chapter 11 - Design
### PROJECT DESIGN CRITERIA

<table>
<thead>
<tr>
<th>Parameter</th>
<th>Value</th>
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<tr>
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<td><strong>Project Number:</strong></td>
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<td><strong>Percent Trucks:</strong></td>
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<tr>
<td><strong>Width of Travel Way:</strong></td>
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<tr>
<td><strong>Width of Shoulders:</strong></td>
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<tr>
<td><strong>Cross Slope:</strong></td>
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<tr>
<td><strong>Superelevation Rate:</strong></td>
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<tr>
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<tr>
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<tr>
<td><strong>Minimum Allowable Grade:</strong></td>
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<tr>
<td><strong>Stopping Sight Distance:</strong></td>
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</tr>
<tr>
<td><strong>Lateral Offset to Obstruction:</strong></td>
<td>1.5-ft</td>
</tr>
<tr>
<td><strong>Vertical Clearance:</strong></td>
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<tr>
<td><strong>Bridge Width:</strong></td>
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<tr>
<td><strong>Bridge Structural Capacity:</strong></td>
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<td><strong>Degree of Access Control:</strong></td>
<td>Driveway/Entrance regulations</td>
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<tr>
<td><strong>Median Treatment:</strong></td>
<td>N/A</td>
</tr>
<tr>
<td><strong>Illumination:</strong></td>
<td>None</td>
</tr>
<tr>
<td><strong>Curb Usage and Type:</strong></td>
<td>None</td>
</tr>
<tr>
<td><strong>Bicycle Provisions:</strong></td>
<td>Lane/Shoulder</td>
</tr>
<tr>
<td><strong>Pedestrian Provisions:</strong></td>
<td>Lane/Shoulder</td>
</tr>
<tr>
<td><strong>Misc. Criteria:</strong></td>
<td>None</td>
</tr>
</tbody>
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---

**Proposed - Designer/Consultant:**

**Endorsed - Engineering Manager:**

**Approved - Preconstruction Engineer:**

---

Shaded criteria are commonly referred to as the FHWA 13 controlling criteria. For NHS routes only, these criteria must meet the minimums established in the Green Book (AASHTO A Policy on Geometric Design of Highways and Streets). For all other routes, these criteria must meet the minimums established in the Alaska Highway Preconstruction Manual. Otherwise, a Design Exception must be approved.

*Design Criteria marked with a "#" do not meet minimums and must have a Design Exception(s) and/or Design Waiver(s) approved. See the Design Study Report for Design Exception/Design Waiver approval(s) and approved design criteria values.*
### ALASKA DOT&PF PRECONSTRUCTION MANUAL

**Chapter 11 - Design**

**PROJECT DESIGN CRITERIA**

<table>
<thead>
<tr>
<th>Project Name:</th>
<th>McGrath Road Upgrade (Milpoint 1.073 to 2.867)</th>
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<tr>
<td>Functional Classification:</td>
<td>Urban Major Collector</td>
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<td>3045</td>
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</tr>
<tr>
<td>Percent Trucks:</td>
<td>4.00%</td>
</tr>
<tr>
<td>Pavement Design Year:</td>
<td>2040</td>
</tr>
<tr>
<td>Terrain:</td>
<td>Level</td>
</tr>
<tr>
<td>Design Speed:</td>
<td>35 mph</td>
</tr>
<tr>
<td>Width of Traveled Way:</td>
<td>22-ft</td>
</tr>
<tr>
<td>Width of Shoulders:</td>
<td>Outside: 3-ft, Inside: 0-ft</td>
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<tr>
<td>Cross Slope:</td>
<td>2%</td>
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<tr>
<td>Superelevation Rate:</td>
<td>6% MAX</td>
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<tr>
<td>Minimum Radius of Curvature:</td>
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<tr>
<td>Maximum Allowable Grade:</td>
<td>10%</td>
</tr>
<tr>
<td>Minimum Allowable Grade:</td>
<td>0.3%</td>
</tr>
<tr>
<td>Stopping Sight Distance:</td>
<td>250-ft</td>
</tr>
<tr>
<td>Lateral Offset to Obstruction:</td>
<td>1.5-ft</td>
</tr>
<tr>
<td>Vertical Clearance:</td>
<td>20' 6&quot; (utilities)</td>
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<tr>
<td>Bridge Width:</td>
<td>N/A</td>
</tr>
<tr>
<td>Bridge Structural Capacity:</td>
<td>N/A</td>
</tr>
<tr>
<td>Passing Sight Distance:</td>
<td>550-ft</td>
</tr>
<tr>
<td>Surface Treatment:</td>
<td>T/W: Asphalt, Shoulders: Asphalt</td>
</tr>
<tr>
<td>Degree of Access Control:</td>
<td>Driveway/Entrance regulations</td>
</tr>
<tr>
<td>Median Treatment:</td>
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<td>Illumination:</td>
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<td>Curb Usage and Type:</td>
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<tr>
<td>Bicycle Provisions:</td>
<td>Separated path/Shoulder</td>
</tr>
<tr>
<td>Pedestrian Provisions:</td>
<td>Separated path/Shoulder</td>
</tr>
<tr>
<td>Misc. Criteria:</td>
<td>None</td>
</tr>
</tbody>
</table>

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---

**Date:** 3-7-17

**Endorsed - Engineering Manager:**

**Approved - Preconstruction Engineer:**

**Date:** 3-7-2017

**Date:** 3-8-2017

---

3/0/2017

H:\Projects\Fbks_NP\02838_McGrath\04 - PS&E\02 - DSR\Lower Project Design Criteria.xlsx
<table>
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|       | 0:00 | 1:00 | 2:00 | 3:00 | 4:00 | 5:00 | 6:00 | 7:00 | 8:00 | 9:00 | 10:00 | 11:00 | 12:00 | 13:00 | 14:00 | 15:00 | 16:00 | 17:00 | 18:00 | 19:00 | 20:00 | 21:00 | 22:00 | 23:00 | Total |
|-------|------|------|------|------|------|------|------|------|------|------|-------|------|------|------|------|------|------|------|------|------|------|------|------|
| Fri 23 | 10   | 3    | 5    | 1    | 1    | 6    | 21   | 35   | 19   | 26   | 17    | 18    | 27    | 22   | 29   | 49   | 43   | 84   | 54   | 37   | 35   | 30   | 30   | 22   | 623   |
| Sat 24 | 16   | 14   | 6    | 8    | 2    | 0    | 13   | 8    | 19   | 27   | 24    | 28    | 46    | 38   | 40   | 50   | 42   | 44   | 38   | 38   | 29   | 32   | 23   | 22   | 607   |
| Sun 25 | 8    | 7    | 7    | 1    | 5    | 7    | 9    | 11   | 21   | 39   | 34    | 38    | 50    | 58   | 35   | 42   | 48   | 62   | 47   | 42   | 33   | 30   | 17   | 7    | 658   |
| Mon 26 | 4    | 3    | 2    | 0    | 3    | 10   | 20   | 37   | 24   | 17   | 23    | 19    | 36    | 24   | 25   | 34   | 38   | 51   | 49   | 40   | 53   | 28   | 17   | 3    | 560   |
| Tue 27 | 3    | 2    | 6    | 1    | 9    | 9    | 18   | 31   | 20   | 30   | 33    | 22    | 29    | 24   | 23   | 29   | 40   | 53   | 53   | 43   | 40   | 26   | 9    | 6    | 559   |
| Wed 28 | 9    | 5    | 4    | 0    | 4    | 10   | 22   | 27   | 26   | 23   | 20    | 33    | 25    | 22   | 18   | 30   | 43   | 76   | 52   | 48   | 41   | 17   | 17   | 8    | 580   |
| Thu 29 | 6    | 1    | 3    | 3    | 3    | 7    | 16   | 34   | 22   | 29   | 22    | 28    | 24   | 26   | 37   | 46   | 46   | 67   | 34   | 41   | 36   | 20   | 18   | 8    | 577   |

| Percentage | 1.34% | 0.84% | 0.79% | 0.34% | 0.65% | 1.18% | 2.86% | 4.39% | 3.63% | 4.59% | 4.15% | 4.47% | 5.69% | 5.14% | 4.97% | 6.72% | 7.18% | 10.49% | 7.85% | 6.94% | 6.41% | 4.39% | 3.15% | 1.83% | 100.00% |
| Hour Totals | 56   | 35   | 33   | 14   | 27   | 49   | 119   | 183   | 151   | 191   | 186   | 237   | 214   | 207   | 280   | 299   | 437   | 327   | 289   | 267   | 183   | 131   | 76   | 4164 |
MEMORANDUM

TO: Ryan F. Anderson, P.E.,
Preconstruction Engineer
Northern Region

FROM: Judy Chapman
Planning Chief
Northern Region

DATE: December 16, 2013

FILE NO: I:\Traffic Data\DESIGN\2013\McGrath_62838.doc

TELEPHONE NO: 451-5150

SUBJECT: McGrath Rd Upgrade
62838/0002300
Design Designation

Please approve the attached updated design designation by signing the endorsement below which enables your staff to proceed.

Included in this package is raw volume data obtained from a special data request during the 2013 field season along McGrath Rd.

Any questions should be directed to Jennifer Anderson at 451-2257.

Ryan F. Anderson, P.E., Preconstruction Engineer

JCA/sgv

cc: Sarah Schacher, P.E., Engineering Manager, Northern Region
Jennifer Anderson, Traffic Data Manager, Northern Region

Attachment
### Northern Region Planning
Traffic Data & Forecasting

**ROUTE NAME:** McGrath Rd  
**STATE ROUTE NO:** 151400  
**CDS MILEAGE:** 0.000-2.867  
**FUNCTIONAL CLASS:** Major Collector

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<th>ADT</th>
<th>%</th>
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<td>2012</td>
<td>2150</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2025</td>
<td>2530</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2045</td>
<td>3240</td>
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<tr>
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<td></td>
</tr>
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</table>

- **ADT**  
- **DHV**  
- **D**  
- **T**  
  - 4.00 %  
  - 3.50  
  - 0.50  
  - Total: 4.00 %  
  - Class 5  
  - Total: 3.50  
  - Class 6

**ESAL'S (Design Lane)**  
To Be Provided by Design
MEMORANDUM

State of Alaska
Department of Transportation & Public Facilities
Northern Region Design and Engineering Services

DATE: November 20, 2013

FILE NO: V:\Hom\8238\03\PS\EGIDSR\DesignDesignationMemo 31 20 13

PHONE NO: 907-451-5129
FAX NO: 907-451-5126

SUBJECT: McGrath Road Upgrade
62838/0002300
Design Designation Request

TO: Judy Chapman
Planning Chief
Northern Region

THRU: Ryan F. Anderson, P.E.
Preconstruction Engineer
Northern Region

FROM: Sarah Schacher, P.E.
Engineering Manager
Northern Region

Please provide a Design Designation for the subject project.

- Present AADT
- Design Year AADT (2045)
- Mid-Design Period AADT (2025)
- Design Hourly Volume
- Directional Split
- Percent Trucks
- Design Functional Classification
- Intersection Turning Movement Counts at:
- Other (Specify)

The project is scheduled for construction in 2018.

Please complete the attached Traffic Data Request Form.

Attachment: as stated

"Keep Alaska Moving through service and infrastructure"
Figure 6-1. Traffic Data Request (TDR) Form

Effective 4/01/04

6-3 Alaska Flexible Pavement Design Manual
# Highway Log Report

**CDS Route:** 151400 Mcgrath Road \* Fbks NS8 (Internal Dup # 0)

**Milepoint:** 0.000 to 2.867

**General Direction:** Southwest

## Features Selected:

- Cross Streets
- Mileposts
- Bridges/Culverts
- Railroad Crossings
- Buildings/Landmarks

## Attributes Selected

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<thead>
<tr>
<th>Milepoint</th>
<th>Side</th>
<th>Feature CDS</th>
<th>Feature</th>
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<td>0.000</td>
<td>Left</td>
<td>150105</td>
<td>Old Steese @ Fox</td>
</tr>
<tr>
<td>0.000</td>
<td>Right</td>
<td>150106</td>
<td>Old Steese @ Fox</td>
</tr>
<tr>
<td>0.145</td>
<td>Left</td>
<td>151450</td>
<td>Mcgrath Road Wye</td>
</tr>
<tr>
<td>0.145</td>
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<td>-</td>
<td>Broadview Drive</td>
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<tr>
<td>0.326</td>
<td>Right</td>
<td>-</td>
<td>Sunrise Drive</td>
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<td>Left</td>
<td>-</td>
<td>Kristin Drive</td>
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<td>Right</td>
<td>-</td>
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<td>-</td>
<td>Mcgrath Rd Baptist Church</td>
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**PF1 - INQUIRY**  **PF2 - HELP**  **PF3 - QUIT**  **PF4 - TDS MENU**

**PF5 - SELECTION**  **PF10 - NEXT STATION**
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**Notes:**
- PF1 - INQUIRY
- PF2 - HELP
- PF3 - QUIT
- PF4 - TDS MENU
- PF5 - SELECTION
- PF10 - NEXT STATION
### Station: McGrath @ Howland Rd Southbound
Site ID: 300002005100
Start Date/Time: 08-01-2013 00:00
End Date/Time: 09-05-2013 23:59

| Time  | 0:00 | 1:00 | 2:00 | 3:00 | 4:00 | 5:00 | 6:00 | 7:00 | 8:00 | 9:00 | 10:00 | 11:00 | 12:00 | 13:00 | 14:00 | 15:00 | 16:00 | 17:00 | 18:00 | 19:00 | 20:00 | 21:00 | 22:00 | 23:00 Total |
|-------|------|------|------|------|------|------|------|------|------|------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|------------------|
| Fri 30| 11   | 8    | 3    | 4    | 2    | 21   | 59   | 100  | 98   | 47   | 37   | 54    | 46    | 52    | 51    | 48    | 50    | 68    | 53    | 52    | 45    | 25    | 18    | 12    | 965 |
| Sat 31| 10   | 7    | 4    | 9    | 3    | 13   | 22   | 36   | 55   | 48   | 59   | 44    | 60    | 43    | 67    | 45    | 38    | 55    | 34    | 29    | 35    | 20    | 25    | 766 |
| Sun 1 | 13   | 10   | 5    | 8    | 5    | 9    | 15   | 26   | 51   | 59   | 56   | 53    | 35    | 50    | 50    | 47    | 50    | 38    | 46    | 34    | 24    | 19    | 6    | 717 |
| Mon 2 | 13   | 7    | 7    | 3    | 6    | 6    | 14   | 25   | 22   | 30   | 47   | 40    | 47    | 40    | 53    | 42    | 35    | 54    | 39    | 23    | 36    | 26    | 19    | 15    | 649 |
| Tue 3 | 11   | 4    | 5    | 1    | 8    | 22   | 56   | 116  | 70   | 52   | 38   | 38    | 41    | 38    | 47    | 45    | 51    | 53    | 64    | 36    | 29    | 22    | 8    | 13    | 878 |
| Wed 4 | 8    | 2    | 4    | 5    | 6    | 20   | 57   | 123  | 80   | 49   | 46   | 38    | 41    | 51    | 55    | 59    | 59    | 56    | 55    | 38    | 41    | 18    | 23    | 7    | 91 |
| Thu 5 | 8    | 3    | 4    | 6    | 3    | 19   | 58   | 128  | 78   | 49   | 38   | 45    | 45    | 51    | 47    | 54    | 51    | 52    | 44    | 41    | 28    | 26    | 10    | 13    | 908 |

Percentage: 1.27% 0.71% 0.53% 0.53% 0.67% 1.70% 4.58% 9.10% 7.05% 5.73% 5.38% 5.80% 5.45% 5.62% 5.95% 6.28% 5.81% 6.38% 5.99% 4.64% 4.33% 3.06% 1.84% 1.57% 100.00%

### Station: McGrath @ Howland Rd Northbound
Site ID: 300002001100
Start Date/Time: 08-01-2013 00:00
End Date/Time: 09-05-2013 23:59

| Time  | 0:00 | 1:00 | 2:00 | 3:00 | 4:00 | 5:00 | 6:00 | 7:00 | 8:00 | 9:00 | 10:00 | 11:00 | 12:00 | 13:00 | 14:00 | 15:00 | 16:00 | 17:00 | 18:00 | 19:00 | 20:00 | 21:00 | 22:00 | 23:00 Total |
|-------|------|------|------|------|------|------|------|------|------|------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|------------------|
| Fri 30| 17   | 6    | 3    | 4    | 4    | 22   | 27   | 35   | 16   | 32   | 32    | 49    | 54    | 53    | 75    | 72    | 99    | 94    | 62    | 45    | 45    | 30    | 20    | 897 |
| Sat 31| 12   | 14   | 5    | 2    | 6    | 0    | 5    | 14   | 25   | 39   | 36    | 48    | 55    | 54    | 64    | 57    | 68    | 54    | 56    | 44    | 42    | 35    | 25    | 768 |
| Sun 1 | 13   | 11   | 3    | 7    | 3    | 4    | 13   | 37   | 30   | 33    | 50    | 44    | 47    | 51    | 51    | 51    | 68    | 51    | 45    | 45    | 30    | 30    | 13    | 680 |
| Mon 2 | 8    | 8    | 8    | 4    | 3    | 9    | 13   | 13   | 10   | 27    | 33    | 48    | 62    | 50    | 48    | 64    | 59    | 31    | 49    | 27    | 25    | 21    | 657 |
| Tue 3 | 13   | 5    | 3    | 2    | 0    | 4    | 11   | 21   | 28   | 21    | 30    | 39    | 49    | 37    | 57    | 65    | 82    | 122   | 99    | 54    | 45    | 45    | 17    | 11    | 860 |
| Wed 4 | 11   | 5    | 6    | 5    | 3    | 5    | 7    | 21   | 34   | 29   | 25    | 28    | 35    | 42    | 50    | 70    | 91    | 139   | 103   | 58    | 60    | 41    | 30    | 14    | 912 |
| Thu 5 | 11   | 8    | 9    | 1    | 4    | 3    | 8    | 17   | 28   | 19   | 30    | 51    | 37    | 39    | 43    | 69    | 90    | 108   | 88    | 64    | 48    | 60    | 22    | 15    | 872 |

Percentage: 1.51% 1.01% 0.66% 0.43% 0.37% 0.41% 1.15% 1.98% 2.92% 2.76% 3.77% 4.66% 5.35% 5.65% 6.48% 7.85% 8.64% 11.83% 9.71% 6.48% 5.93% 5.14% 3.35% 2.11% 100.00%

Hour Total: 85 57 37 24 21 23 65 112 165 157 213 252 302 319 366 444 488 668 548 366 336 290 189 119 5646
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Percentages:
- Hour Totals: 1.34% 0.84% 0.54% 0.65% 1.18% 2.28% 3.63% 4.64% 4.15% 4.47% 5.69% 5.14% 4.57% 6.73% 7.38% 10.46% 7.65% 6.49% 7.34% 6.28%
- Site Totals: 8.95% 5.09% 3.64% 4.62% 8.29% 16.57% 25.93% 38.75% 34.17% 39.16% 52.34% 48.77% 60.31% 76.38% 34.81% 39.16% 48.77% 34.81%

Station Name: McGrath Rd Noh of Frog Pond
Site ID: 025000021000000
Start Date/Time: 03-01-2013 09:00
End Date/Time: 03-31-2013 17:30

Duration: 24 hours

321
Computations

Year | ADT
---|---
2012 | 2150
2015 | 2530
2045 | 3240

ADT from short term count on McGrath N of Farmers Loop Rd.
1.25% growth rate used

13 yr factor: 1.17
53 yr factor: 1.51

DIV: 14%
2025: 290
2045: 370

Directional Split: 60-40

% Trucks 4% Class count from Skyline Rd used as base

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VII. Environmental Documentation Approval

3. For 6004 projects: The project meets the criteria of the DOT&PF Programmatic Approval 2 authorized in the November 6, 2012 “CE Directive – Delegation of Approval Authority for Certain CEs under 6004 MOU”. If yes, the CE may be approved by the Regional Environmental. If no, the CE may be approved by a Statewide NEPA Manager.

4. For non-assigned projects: The project meets the criteria of the April 13, 2012 “Programmatic Categorical Exclusion for Use on Federal-Aid Highway Projects in Alaska” between FHWA and DOT&PF. If yes, the CE may be approved by the Regional Environmental Manager. If no, the CE may be approved by FHWA Area Engineer.

VIII. Environmental Documentation Approval Signatures

Prepared by: ____________________________
[Sign] Environmental Impact Analyst

[Print Name] Environmental Impact Analyst

Reviewed by: ____________________________
[Sign] Engineering Manager

[Print Name] Engineering Manager

Approved by: ____________________________
[Sign] Regional Environmental Manager

[Print Name] Regional Environmental Manager

Assigned CE

Approved by: ____________________________
[Sign] DOT&PF Statewide NEPA Manager

[Print Name] DOT&PF Statewide NEPA Manager

Non-Assigned CE

Approved by: ____________________________
[Sign] FHWA Area Engineer

[Print Name] FHWA Area Engineer
APPENDIX C

PAVEMENT DESIGN
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<th>Poisson's Ratio</th>
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<th>Critical Compressive Stress (psi)</th>
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<td></td>
<td>Summer</td>
<td>35</td>
<td>0.4</td>
<td>23.10</td>
<td>1.53</td>
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<td><strong>0.02</strong></td>
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</tr>
</tbody>
</table>

New Construction by Erik Brunner
6/9/2016 2:55:02 PM

file:///C:/Users/esbrunner/Desktop/McGrath pavement.html.html
ALASKA DOT&PF PRECONSTRUCTION
DESIGN EXCEPTION/DESIGN WAIVER FORM

Type of Request:  (select one or both)

☑️ Design Exception (FHWA controlling design criteria only)
☐ Design Waiver (all other design criteria)

PROJECT INFORMATION:

Project Name: McGrath Road Upgrade
Project Number: Z628380000/002300
☐ NHS ☑️ Non NHS

Functional Classification: Urban Major Collector
Design Year: 2040
Present ADT: 595 vpd
Design Year ADT: 811 vpd
Mid Design Period ADT: 717 vpd
DHV: 11.4%
Directional Split: 60-40
Percent Trucks: 4
Equivalent Axle Loading: 74,850
Pavement Design Year: 2033
Design Vehicle: WB-40
Terrain: Mountainous
Number of Roadways: 1
*Design Speed: 35
Posted Speed: 35
Operational Speed: 35

* If requesting a design exception for design speed, use the recommended not reduced design speed here. Further, any design which uses a design speed below the posted or regulatory speed limit should not be approved (Source: FHWA Supplement, Section 8.,b. Application of Design Standards, Uniform Federal Accessibility Standards, and Bridges located here: http://www.fhwa.dot.gov/design/0625sup.cfm). FHWA also recommends evaluating specific geometric element(s) and treating those as design exceptions instead of design speed.
PROJECT INFORMATION:

It is required that a location map, as a minimum, be provided with your package. It is highly recommended that other exhibits be provided to support your request. Exhibits may include typical sections, geometric details, correspondence from other sections, agency correspondence, etc.

1. **Design Exception requested for the following design criteria. Mark the criteria to be discussed:**

- [ ] Design Speed
- [ ] Lane Width
- [ ] Shoulder Width
- [ ] Cross Slope
- [ ] Superelevation Rate
- [x] Horizontal Alignment (minimum radius of curvature)
- [ ] Vertical Alignment (minimum sag and/or crest K values)
- [ ] Grade (minimum and/or maximum allowable grades)
- [ ] Stopping Sight Distance
- [ ] Lateral Offset to Obstruction
- [ ] Vertical Clearance
- [ ] Bridge Width
- [ ] Bridge Structural Capacity

These 13 design criteria are commonly referred to as the *FHWA 13 controlling criteria*. For NHS routes only, these criteria must meet the minimums established in the Green Book (*AASHTO A Policy on Geometric Design of Highways and Streets*). For all other routes, these criteria must meet the minimums established in the *Alaska Highway Preconstruction Manual*. Otherwise a Design Exception must be approved.

**Design Waiver requested for the following design criteria.**

- [ ] Other

   **Explain:**

   Design Waivers are required for any design criteria, other than the *FHWA 13 controlling criteria*, which do not meet the minimums established in the *Alaska Highway Preconstruction Manual*.

2. **Provide a synopsis of the project scope (including purpose and need), the situation you are encountering, and the problem you are attempting to mitigate.**
This project will upgrade McGrath Road between Farmers Loop Road and the Old Steese Highway. Improvements for this portion of the project will include a consistent roadway and shoulder width and removal or minimization of compound curve severity where feasible. The project was initiated to reduce maintenance costs through improved pavement structure and improve safety where possible for bicycles and pedestrians. The existing road is narrow with no shoulder. There is an existing separated bicycle/pedestrian path along the southern portion of the corridor. The northern section has substantially less traffic volume due to decreased residential development. The pavement is worn and past its useful service life.

The northern portion of McGrath Road has sub-standard vertical and horizontal curves currently. Upgrading these deficiencies to new construction standards would result in significant impacts including probable relocation of property owners adjacent to the road.

3. Provide a concise written description of the proposed Design Exception(s)/Design Waiver(s). It is required to be specific in stating which design standard(s) is being requested to be excepted or waived and the location (either the entire project length or a station range). State the standard and proposed values of the design criteria exception/waiver citing AASHTO, Department, or other standards. Include the date of the design standard references cited. Whenever possible, reference AASHTO guidelines to support your design decisions.

A horizontal alignment design exception is proposed between station 105+00 and the EOP at the intersection with the Old Steese Highway. The AASHTO curve minimum radius for 6% superelevation rate is 340 feet. A design exception for a minimum radius of 80 feet is requested. The existing as-built best fit alignment contains a double compound curve with a 44 foot radius, this curve will be redesigned from a double compound curve to a curve with a minimum radius of 80 feet. There are three horizontal curves within the station range that have less than design minimum radius curves. These curves are located around Sta. 126+50, 150+00, 162+50. The current design proposes to generally maintain the existing alignment for this portion of the project.

<table>
<thead>
<tr>
<th>Proposed Design Exceptions/Design Waivers Summary</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Criteria</strong></td>
</tr>
<tr>
<td>Horizontal Alignment</td>
</tr>
<tr>
<td>Horizontal Alignment</td>
</tr>
<tr>
<td>Horizontal Alignment</td>
</tr>
</tbody>
</table>

1AASHTO, 2011 A Policy on Geometric Design of Highways and Streets
4. Discuss the terrain in the area of the project and the proposed Design Exception(s)/Design Waiver(s).

The terrain in the project area varies from rolling to mountainous. The terrain in the area of the proposed design exceptions is mountainous. These design exceptions are dependent on terrain as the roadway in this section is primarily a hillside cut with very limited existing right of way. See attached typical section for a graphic representation of these conditions.

5. Discuss the traffic characteristics in the area of the project and the proposed Design Exception(s)/Design Waiver(s).

Traffic in the area is a mix of commercial and local commuters. Design features for this project are based on a 35 mph design speed.

6. Discuss the crash history of the project and the proposed Design Exception(s)/Design Waiver(s). State if any anomalies are present within the project limits.

From 2006 to 2010 a total of 2 crashes occurred within the area of the proposed design exceptions. These crashes consisted of one ditch and one run off the road. The crashes consisted of one property damage only and one minor injury. Unsafe speed is listed as a factor in both crashes and it does not appear that roadway geometry contributed. The crash rate is 1.73 crashes per million vehicle miles traveled. By comparison, the crash rate for the southern portion of McGrath Road, where alignment geometry meets new construction standards, is 2.16 crashes per million vehicle miles traveled. There do not appear to be any anomalies present within the project limits.

7. Discuss the degree to which a standard is being reduced, whether the exception/waiver will affect other standards, and are there any additional features being introduced, e.g., signing or delineation that would mitigate the deviation and the proposed Design Exception(s)/Design Waiver(s). Also, discuss if multiple Design Exceptions/Waivers are being requested in the same segment and if they will influence each other.

The standard minimum radius for 6% superelevation with a 35 mph design speed is 340 feet. The northern portion of McGrath Road currently is substandard for horizontal alignment, and the proposed project will be an improvement over the existing geometry even with the proposed design exceptions. The design exceptions proposed are to best match the existing geometry where constrained by right-of-way and will not result in an inconsistent driving experience for this local collector.

The curve at PI Sta. 126+50 will be constructed with a radius of 280 feet which will allow roadway geometry improvement over the existing reverse curve into a 3 radius compound curve containing a 120 foot minimum radius while still remaining within the existing right of way.
The proposed minimum radius for PI Sta. 150+00 is 80 feet as part of an existing compound curve. The existing curve is a 3 radius compound curve with a minimum radius of 44-ft. The curve will be simplified to a curve with a minimum radius of 85-ft.

The current intersection of the Old Steese and McGrath Road has a 52 degree approach angle. In accordance with AASHTO intersection design guidance construction of an 80 foot radius curve (PI Sta. 162+50) will allow realignment of the approach to an 87 degree approach angle with no right-of-way impacts. This curve is in an approach to a stop condition. A stop ahead sign in addition to curve warning signs will be evaluated for warrants during detailed design.

Curve warning signs will be installed throughout the project to warn drivers of the reduced standards and bring the road corridor into compliance with current MUTCD signing standards.

8. **Explain why the proposed Design Exception(s)/Design Waiver(s) is needed. (Provide supporting information as to why the minimum design criteria cannot be met. Substantiate reasons with facts, historical data, cost estimates, etc.)**

The proposed design exceptions are needed to prevent the project excavation limits from extending beyond the existing right-of-way and onto approximately 22 private landowners. Right-of-way impacts associated with a major realignment necessary to meet new construction standards range from minor strip acquisitions to probable complete relocation of adjacent landowners. See the attached documents for a “test” realignment that features 340 foot minimum radius curves and the resultant catch lines and a spreadsheet itemizing additional project costs associated with construction of an alignment with no design exceptions.

9. **Discuss the cost of the project and the proposed Design Exception(s)/Design Waiver(s). Provide information that reflects the cost with and without the Design Exception(s)/Design Waiver(s). Attach detailed cost estimates.**

Meeting minimum design criteria would increase project costs by approximately $940,000 not including the cost of property necessary for the new right-of-way. These additional project costs also do not account for any costs associated with project delays caused by the need for significant additional right-of-way and property boundary survey necessitated by roadway realignment.
<table>
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<th>Project Cost Summary</th>
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Proposed Designer/Consultant: [Signature] Date: 3-7-2017

Endorsed Engineering Manager: [Signature] Date: 3-7-2017

Approved Preconstruction Engineer: [Signature] Date: 3-8-2017

Concur – FHWA: ___________________________ Date: _________

*FHWA concurrence required for high profile projects only.*
### Project Cost With Design Exception

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<th>ITEM</th>
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<th>UNIT</th>
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<th>PRICE</th>
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Total Project Cost W/ Contingency, CE, and ICAP: $5,600,000.00

### Project Cost Without Design Exception

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Total Project Cost W/ Contingency, CE, and ICAP: $6,536,137.50
RE: HP2017-005 McGrath Road Upgrade

Dear Property Owner:

The Fairbanks North Star Borough Planning Commission will hold a public hearing Tuesday, July 18th, 2017, at 6:30 p.m. or after in the Juanita Helms Administrative Center, Assembly Chambers, 907 Terminal Street, Fairbanks, Alaska on the following item:

HP2017-005: McGrath Road Upgrade — A request by the Department of Transportation and Public Facilities for local planning authority approval of the McGrath Road Upgrade project. This project proposes to upgrade approximately 2.9 miles of McGrath Road from Farmer’s Loop Road to the Old Steese Highway with new surface and safety improvements like widened shoulders and guard rail improvements. The project is anticipated to require right-of-way acquisition.

This hearing is to ensure consistency between the transportation project and the FNSB Regional Comprehensive Plan. You are encouraged to speak at this public hearing and/or submit written comments. Testimony is limited to three minutes per person at the public hearing. Written comments should be submitted prior to the meeting using the space below, or email your comments to planning@fnsb.us referring to request HP2017-005. Contact Donald Galligan at 459-1272 if you have questions. The staff recommendation on this request can be found at www.fnsb.us/Boards/Pages/Planning-Commission.aspx five days before the hearing.

Christine Nelson, Director
Department of Community Planning

Property Owner: Patrick G. Young, Betty L. Young

Legal description of property owned: Tract 3 Hillside Acres - Parcel Account #0236438

Comments: In favor of McGrath Road Upgrade. It is long past due.

The Fairbanks North Star Borough is subject to the Alaska Public Records Act, AS 40.25 et seq. and this document may be subject to public disclosure under state law.
RE: HP2017-005 McGrath Road Upgrade

Dear Property Owner:

The Fairbanks North Star Borough Planning Commission will hold a public hearing Tuesday, July 18th, 2017, at 6:30 p.m. or after in the Juanita Helms Administrative Center, Assembly Chambers, 907 Terminal Street, Fairbanks, Alaska on the following item:

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Christine Nelson, Director
Department of Community Planning

Property Owner: Joseph C. Kurber, Rebecca L.H. Kurber, 118 Mt. View Dr.

Legal description of property owned:
Lot, Block and Subdivision: Sunny Hills Ter 205 01A-1 (0654102)
Comments: I wholeheartedly support this effort, as does my Wife. McGrath is a very dangerous road, especially w/ all the bikers/joggers/pedestrians. Also, the intersection w/ Old Steese would greatly benefit from the proposed change by improving visibility and reducing confusion. Please consider a bike path along the entire length of McGrath, although I know there are ROW issues.

The Fairbanks North Star Borough is subject to the Alaska Public Records Act, AS 40.25 et seq. and this document may be subject to public disclosure under state law.
RE: HP2017-005 McGrath Road Upgrade

Dear Property Owner:

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Christine Nelson, Director
Department of Community Planning

Property Owner: Clemens M. & Connie J. Clooten

Legal description of property owned:
Lot 6, Lowell #1 out of TL 2414 Sec 24 T1N R1W

Comments: We wholeheartedly approve this proposal to make McGrath Road safer for all users. Thank you!

The Fairbanks North Star Borough is subject to the Alaska Public Records Act, AS 40.25 et seq, and this document may be subject to public disclosure under state law.
RE: HP2017-005 McGrath Road Upgrade

Dear Property Owner:

The Fairbanks North Star Borough Planning Commission will hold a public hearing Tuesday, July 18th, 2017, at 6:30 p.m. or after in the Juanita Helms Administrative Center, Assembly Chambers, 907 Terminal Street, Fairbanks, Alaska on the following item:

HP2017-005: McGrath Road Upgrade – A request by the Department of Transportation and Public Facilities for local planning authority approval of the McGrath Road Upgrade project. This project proposes to upgrade approximately 2.9 miles of McGrath Road from Farmer's Loop Road to the Old Steese Highway with new surface and safety improvements like widened shoulders and guard rail improvements. The project is anticipated to require right-of-way acquisition.

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Christine Nelson, Director
Department of Community Planning

Property Owner: __________________________

Legal description of property owned:
Lot, Block and Subdivision: __________________________

Comments: __________________________

The Fairbanks North Star Borough is subject to the Alaska Public Records Act, AS 40.25 et seq, and this document may be subject to public disclosure under state law.
RE: HP2017-005 McGrath Road Upgrade

Dear Property Owner:

The Fairbanks North Star Borough Planning Commission will hold a public hearing Tuesday, July 18th, 2017, at 6:30 p.m. or after in the Juanita Helms Administrative Center, Assembly Chambers, 907 Terminal Street, Fairbanks, Alaska on the following item:

HP2017-005: McGrath Road Upgrade – A request by the Department of Transportation and Public Facilities for local planning authority approval of the McGrath Road Upgrade project. This project proposes to upgrade approximately 2.9 miles of McGrath Road from Farmer’s Loop Road to the Old Steese Highway with new surface and safety improvements like widened shoulders and guard rail improvements. The project is anticipated to require right-of-way acquisition.

This hearing is to ensure consistency between the transportation project and the FNSB Regional Comprehensive Plan. You are encouraged to speak at this public hearing and/or submit written comments. Testimony is limited to three minutes per person at the public hearing. Written comments should be submitted prior to the meeting using the space below, or email your comments to planning@fnsb.us referring to request HP2017-005. Contact Donald Galligan at 459-1272 if you have questions. The staff recommendation on this request can be found at www.fnsb.us/Boards/Pages/Planning-Commission.aspx five days before the hearing.

Christine Nelson, Director
Department of Community Planning

Property Owner:  Michael McGill

Legal description of property owned:
Lot, Block and Subdivision: Lot 15 Block B Sun Valley Estates 1st Addn.

Comments: I’m excited to see this go forward. I have lived here since ’83 and had more close calls than I care to think of because of no shoulders, narrow lanes, and steep banks.

The Fairbanks North Star Borough is subject to the Alaska Public Records Act, AS 40.25 et seq, and this document may be subject to public disclosure under state law.
RE: HP2017-005 McGrath Road Upgrade

Dear Property Owner:

The Fairbanks North Star Borough Planning Commission will hold a public hearing Tuesday, July 18th, 2017, at 6:30 p.m. or after in the Juanita Helms Administrative Center, Assembly Chambers, 907 Terminal Street, Fairbanks, Alaska on the following item:

HP2017-005: McGrath Road Upgrade – A request by the Department of Transportation and Public Facilities for local planning authority approval of the McGrath Road Upgrade project. This project proposes to upgrade approximately 2.9 miles of McGrath Road from Farmer’s Loop Road to the Old Steese Highway with new surface and safety improvements like widened shoulders and guard rail improvements. The project is anticipated to require right-of-way acquisition.

This hearing is to ensure consistency between the transportation project and the FNSB Regional Comprehensive Plan. You are encouraged to speak at this public hearing and/or submit written comments. Testimony is limited to three minutes per person at the public hearing. Written comments should be submitted prior to the meeting using the space below, or email your comments to planning@fnsb.us referring to request HP2017-005. Contact Donald Galligan at 459-1272 if you have questions. The staff recommendation on this request can be found at www.fnsb.us/Boards/Pages/Planning-Commission.aspx five days before the hearing.

Christine Nelson, Director
Department of Community Planning

Property Owner: Bruce + Jaye Delbridge

Legal description of property owned: Lot 401 A, McGrath Rd.

Comments: We are absolutely in favor of this project.

The Fairbanks North Star Borough is subject to the Alaska Public Records Act, AS 40.25 et seq. and this document may be subject to public disclosure under state law.
Donald Galligan

From: Mary Bork
Sent: Tuesday, June 27, 2017 7:23 AM
To: Donald Galligan
Cc: Nicole Nordstrand; Kellen Spillman
Subject: FW: HP2017-005

Don,

Find below a comment concerning HP2017-005 for the Planning Commission public hearing of July 18th.

Thank you,

Mary Bork, Admin. Asst. IV
FNSB Dept. of Community Planning
mabork@fnsb.us
907-459-1259

From: Eric Schneider [mailto:ericsschneider77@yahoo.com]
Sent: Monday, June 26, 2017 6:23 PM
To: Webmail Planning
Subject: HP2017-005

Sir/Ma'am--

Re: McGrath Road changes.

I am tentatively opposed to the closure of the north leg of the "Y" on McGrath Road where it intersects North Old Steese Road. I am a >10 year resident of N. Old Steese Hwy, and now Teresa Turnaround. I use that stretch of road for running (exercise), biking (exercise and commuting), to access St Raphael Catholic Church, to access Fox, and occasionally to access Hagelbarger Rd (and points beyond).

If the road is to be closed there, I urge that adequate non-motorized access to that right of way, as well as the right of way (also permanently closed to vehicles) connecting McGrath to Broadview Drive, be maintained/improved for pedestrians and bicyclists.

Me and my family frequently walk or bike to St Raphael Church from our current Teresa Turnaround home, and the added (approx) 0.2 miles for walking--especially by forcing us onto N. Old Steese via the south "Y" of McGrath--will push us to drive more and walk
less. We actually made the move to Teresa Turnaround in part for the more pedestrian friendly aspects of this part of town, and have appreciated walking and biking more than we did while living on N. Old Steese, where traffic frequently drives too fast for the narrow conditions. I am concerned that this road closure will be a net negative for me and my family.

I understand that there might be plans to improving the biking and pedestrian aspects of upper McGrath, but it is not clear to me that that extends to our area, so I cannot comment on these at this time. It does appear that any extension of the bike path would end at N Old Steese Hwy (if there is any extension of the bike path planned).

Thank you.

Eric Schneider
90 Teresa Turnaround
Fairbanks, AK 99712

907-987-6043 (cell)
NOTICE OF DECISION RE: HP2017-005

July 19, 2017

State of Alaska DOT & PF
Attn: Lauren Little, PE
2301 Peger Road
Fairbanks, AK 99709-5316

RE: HP2017-005 – McGrath Road Upgrades

Dear Ms. Little:

At its meeting of July 18, 2017, the Planning Commission approved the above referenced highway project.

For the purposes of the local review process, this project was classified as a non-significant, public hearing item. Since the application did not involve relocation of business(s), changing the function of a roadway to be constructed and/or connecting roads, and there was no controversy or public controversy expected, this concludes the local review process and the remainder of the 90-day objection period is waived.

Thank you for your cooperation and assistance during the review process. If you have any questions, please feel free to contact me at 459-1260.

Sincerely,

D. Christine Nelson, AICP
Community Planning Director

DCN/dg

The Fairbanks North Star Borough is subject to the Alaska Public Records Act, AS 40.25 et seq. and this document may be subject to public disclosure under state law.
**HIGHWAY VARIANCE APPLICATION**

**File No:** \_261a-064

**FEES:**
- $1,000 variance application* 
- $200 sign deposit (check or cash recommended)

*No fee for highway project variance requested by private property owners, if AKDOT/PF did not fulfill their statutory responsibility of obtaining a variance.

<table>
<thead>
<tr>
<th><strong>Applicant:</strong></th>
<th><strong>Property Owner:</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>Contact Name:</td>
<td>Name:</td>
</tr>
<tr>
<td>STEVEN BROOKS</td>
<td>QUINTON ODELL PARKER</td>
</tr>
<tr>
<td>Business Name:</td>
<td>Mailing Address:</td>
</tr>
<tr>
<td>50A DOT &amp; PF</td>
<td>3930 TIBOR ST.</td>
</tr>
<tr>
<td>Mailing Address:</td>
<td>City, State Zip:</td>
</tr>
<tr>
<td>2301 PEGER ROAD</td>
<td>FAIRBANKS, AK 99701</td>
</tr>
<tr>
<td>City, State Zip:</td>
<td>Phone:</td>
</tr>
<tr>
<td>FAIRBANKS, AK 99709</td>
<td>N/A</td>
</tr>
<tr>
<td>Phone:</td>
<td>Cell:</td>
</tr>
<tr>
<td>907-451-5421</td>
<td>N/A</td>
</tr>
<tr>
<td>E-mail:</td>
<td>E-mail:</td>
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<tr>
<td><a href="mailto:STEVEN.BROOKS@ALASKA.GOV">STEVEN.BROOKS@ALASKA.GOV</a></td>
<td>N/A</td>
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<table>
<thead>
<tr>
<th><strong>Property Information:</strong></th>
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<tbody>
<tr>
<td>Property Description:</td>
</tr>
<tr>
<td>POSITION OF SE1/4 OF SW1/4, SECTION 2A T1N, R1W FM/TAX LOT 2438</td>
</tr>
<tr>
<td>Street Address: 814 McGRATH RD</td>
</tr>
<tr>
<td>Parcel Account Numbers (PAN): C86647</td>
</tr>
<tr>
<td>Zoning District: RA-5</td>
</tr>
</tbody>
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<table>
<thead>
<tr>
<th><strong>Variance Request Information:</strong></th>
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<tbody>
<tr>
<td>Variance Type: Setback □ Lot Size □ Other:</td>
</tr>
<tr>
<td>Amount of ROW Acquired:</td>
</tr>
<tr>
<td>Square Feet: 4,440</td>
</tr>
<tr>
<td>Acres:</td>
</tr>
<tr>
<td>Setback Request:</td>
</tr>
<tr>
<td>□ Front: N/A □ Rear: N/A □ Side: N/S/E/W N/A □ Side: N/S/E/W N/A</td>
</tr>
<tr>
<td>Lot Size Request:</td>
</tr>
<tr>
<td>Zoning District Lot Size Minimum: 200,000 S.F.</td>
</tr>
<tr>
<td>Current/Proposed Lot Size: 91,392 SF</td>
</tr>
<tr>
<td>Request Description and amount of variance requested: DOT: PF/ROW ACQUISITION REDUCED THE NON-CONFORMING LOT SIZE EVEN FURTHER</td>
</tr>
</tbody>
</table>

Please include any information regarding the applicability of reasonable accommodations for a person having a disability pursuant to FNSBC 18.12.030.

**APPLICANT SIGNATURE:**

**DATE:** 5/7/19

*Fairbanks North Star Borough is subject to the Alaska Public Records Act, AS 40.25 et seq. and this document may be subject to public disclosure under state law.*
Donald Galligan

From: Brooks, Steven Michael (DOT) <steven.brooks@alaska.gov>
Sent: Tuesday, August 13, 2019 3:01 PM
To: Donald Galligan
Subject: revised request for V2019-003 and V2019-004

Mr. Galligan:

I would like to amend my request wording for the variances located along McGrath Road

V2019-004 (814 McGrath Road)—I would like to request a minimum lot size variance of 4,440 sq. ft. from the original lot size of 95,832 sq. ft. which leaves a remaining lot size of 91,392 sq. ft.

V2019-003 (878 McGrath Road)—I would like to request a minimum lot size variance of 111 sq. ft. from the original lot size of 130,680 sq. ft. which leaves a remaining lot size of 130,569 sq. ft.

Thank You

Steven Brooks
May 17, 2009

QUINTON ODELL PARKER

LOT SIZE VARIANCE—McGRATH ROAD UP GRADES, Z628380000, PARCEL 5

NARRATIVE

The State of Alaska, Department of Transportation and Public Facilities (AK DOT&PF) is preparing to upgrade the McGrath Road from the intersection with Farmer’s Loop Road to the Old Steese. AK DOT&PF, in cooperation with the Federal Highway administration (FHWA), is proposing to upgrade approximately 2.9 miles of McGrath Road with a new surface and safety improvements like widened shoulders and guardrail improvements along with slightly realigned centerlines in selected areas.

The design of the project was determined to be the least impactful design to the surrounding property owners in this area. The project requires the acquisition of parcels in order to accommodate the slightly realigned centerline, including a portion of the Quinton Odell Parker property.

Variance Criteria

I. FNSBC 18.104.070 (B)(3)
   e. The amount of right-of-way take from the Parker parcel is 4,440 square feet, leaving a lot size of 91,392 square feet.
   f. The front setback prior to acquisition was ±67 feet, and after the right-of-way take, it will be ±47 feet.

II. FNSBC 18.104.070 (B)(2)
   a. This is a public highway project and the acquisition of the parcel to accommodate the project represents a special condition peculiar to this property and is not applicable to other property in the zoning district. The State maintains the right to Eminent Domain on this project, and as such the sale of the parcel to the State does not constitute an arm’s length transaction. The

"Keep Alaska Moving through service and infrastructure."
majority of the other owners in this zoning district are not affected by this project and so this condition does not exist for other owners.

b. Strict interpretation of this title would deprive the owner of rights commonly enjoyed by other properties in this zoning district because of the McGrath Road Improvements Project.

III. FNSBC 18.104.70 (D)

1. The proposed variance conforms to the intent and purpose of this title, other ordinances and Alaska Statutes.
2. The denial of the proposed variance will deprive the property owner of the use of the property in a manner similar to the use permitted to be made by the owners of property in the immediate area.
3. The proposed variance will not adversely affect the public health, safety, and welfare, traffic or parking conditions or increase the danger of fire should it be granted.
STATE OF ALASKA
DEPARTMENT OF TRANSPORTATION
&
PUBLIC FACILITIES

RIGHT OF WAY REQUIRED
0002300 / Z628380000
MCGRATH ROAD UPGRADE

STATE OF ALASKA
DEPARTMENT OF TRANSPORTATION
AND PUBLIC FACILITIES

PROJECT NO. 0002300 / Z628380000

AREA 4,440 SF PARCEL NO. 5

SCALE 1" = 1/2 MILE DATE 10/24/2017

INITIAL DATE 1 OF 2
LINE DATA

<table>
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<tr>
<th>L#</th>
<th>BEARING</th>
<th>GAP DISTANCE</th>
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<tbody>
<tr>
<td>L24</td>
<td>N 88°50'54&quot; W</td>
<td>15.18'</td>
</tr>
<tr>
<td>L25</td>
<td>N 67°38'37&quot; W</td>
<td>1.77'</td>
</tr>
<tr>
<td>L26</td>
<td>S 88°35'01&quot; E</td>
<td>21.85'</td>
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</table>

"O"55+58.57 PI
Δ = 23°03'41"
D = 3°24'01"
T = 343.76'
L = 678.20'
R = 1685.00'

CURVE DATA

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<thead>
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<th>C#</th>
<th>Δ</th>
<th>RADIUS</th>
<th>LENGTH</th>
<th>TANGENT</th>
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<td>C1</td>
<td>5°23'00&quot;</td>
<td>1722.00</td>
<td>161.80</td>
<td>80.96</td>
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</table>

NOTE:
SURVEY ANALYSIS AND BOUNDARY RESOLUTION INFORMATION IS DETAILED ON PROJECT R.O.W. MAP

STATE OF ALASKA
DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES

RIGHT OF WAY REQUIRED FOR McGrath Road UPGRADE

<table>
<thead>
<tr>
<th>DRAWING</th>
<th>PROJECT NO.</th>
<th>AREA</th>
<th>PARCEL NO.</th>
<th>SCALE</th>
<th>DATE</th>
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</thead>
<tbody>
<tr>
<td></td>
<td>0002300 / Z628380000</td>
<td>4,440 SF</td>
<td>5</td>
<td>1&quot; = 100'</td>
<td>10/24/17</td>
</tr>
</tbody>
</table>
PUBLIC NOTICE SIGN POSTING AFFIDAVIT

STATE OF ALASKA  )
  ) ss.
FOURTH JUDICIAL DISTRICT  )

I, __________________________________________, being first duly sworn, depose and state that:

1. I have submitted an application identified as _________________________________.

2. I have posted and will maintain public notice sign #______ in accordance with the following provisions:
   a. Sign is posted on the property on which my request for rezone, conditional use or variance has been made.
   b. Sign is clearly visible from streets and roads.
   c. Sign will be maintained free of snow or other materials which impede readability.
   d. Sign is posted between an elevation of 2' and 8' above ground level and no further than 50' from the edge of the road to further ensure readability from streets.
   e. Sign was posted on ____________________ (date) and complies with posting requirements of 20 days prior to the public hearing date.
   f. I shall return the sign to the FNSB Department of Community Planning within 10 days following the final public hearing.

3. I understand a refund check of $200.00 (the amount I have deposited for said sign) will be issued 7-10 days following return of the sign providing that sign is returned in usable condition. I further understand I may receive only partial refund if the sign is damaged when returned to the Borough.

4. This document is null and void when necessary action has been completed as provided in Item #2 f.

______________________________
Signature

______________________________
______________________________
______________________________
______________________________
______________________________
(Print Name and Address of Affiant)

SUBSCRIBED AND SWORN TO BEFORE ME on this _________ day of ________, 20_____

______________________________
Notary Public in and for Alaska

______________________________
Commission Expires
STATE OF ALASKA
DEPARTMENT OF TRANSPORTATION
AND PUBLIC FACILITIES

WARRANTY DEED
(Standard/Partial Property)

PROJECT NAME: McGrath Road Upgrade
STATE PROJECT #: Z628380000
FEDERAL-AID PROJECT #: 0002300
PARCEL #: 5 UNIT #: 

THE GRANTOR, Wayne Robert Sandstrom, whose mailing address is 341 Aintoinette Avenue, Fairbanks, Alaska 99701, for and in consideration of FOUR THOUSAND AND FORTY DOLLARS ($4,040.00), and other valuable consideration, in hand paid, conveys and warrants to the GRANTEE, STATE OF ALASKA, DEPARTMENT OF TRANSPORTATION & PUBLIC FACILITIES, whose mailing address is 2301 Pegor Road, Fairbanks, Alaska 99709, the following-described real estate, located in the State of Alaska 99709, all that part of the following-described tract of land:

A parcel of land situated in Section 24, Township 1 North, Range 1 West, Fairbanks Base and Meridian (S24, T1S, R1W, FM), said parcel being a portion that land conveyed by Document No. 2015-007999-0, recorded on May 29, 2015 in the Fairbanks Recording District, Fourth Judicial District, State of Alaska, and being more particularly described as follows:

COMMENCING at a point on the easterly right-of-way line of State of Alaska Department of Transportation and Public Facilities, McGrath Road Upgrade, Federal Project No. 0002300, State Project No. Z628380000, said point being offset right 24.46 feet of project centerline station “O” 52+00.36; being also the TRUE POINT OF BEGINNING;

THENCE along said right-of-way line, bearing North 20°38’10” East a distance of 256.55 feet to a point;

THENCE leaving said right-of-way bearing South 88°35’01” East, a distance of 21.85 feet to a point;

THENCE parallel to and offset 37.00 feet from project centerline, an arc distance of 161.80 feet along a non-tangential curve to the right, having a radius of 1722.00 feet, a tangent of 80.96 feet, and subtended by an angle of 5°23’00” to a point;

THENCE bearing North 67°38’37” West along radial to said curve, distant 1.77 feet to a point;

THENCE bearing South 22°04’24” West, a distance of 95.34 feet to a point;

THENCE bearing North 88°50’54” West, a distance of 15.18 feet to a point, said point being the TRUE POINT OF BEGINNING.
Which lies within the right-of-way lines of Alaska Project No. Z628380000 delineated as to said tract of land on the plat attached hereto and made a part hereof as pages 4 and 5 of this instrument and designated as Parcel No. 5.

Said parcel, containing 4,440 square feet, more or less, in addition to existing right-of-way, is hereby conveyed to the STATE OF ALASKA, DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES.

Dated this 8th day of March, 2018.

[Signature]
Wayne Robert Sandstrom

3/8/2018
Date
ACKNOWLEDGMENT OF GRANTOR

STATE OF ALASKA

) ss

4th Judicial District

On this 8 day of March, 2016 before me, the undersigned, a Notary Public in and for the State of Alaska, personally appeared Wayne Robert Sandstrom, the Grantor, known to me to be the identical person who executed the foregoing instrument and who acknowledged to me that he signed the same freely and voluntarily, with full knowledge of its contents, for the uses and purposes therein mentioned.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year above written.

NOTARY SEAL

BRIAN K. ROBERTS
NOTARY PUBLIC
STATE OF ALASKA

CERTIFICATE OF ACCEPTANCE

THIS IS TO CERTIFY that the STATE OF ALASKA, DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES, Grantee herein, acting by and through its Commissioner, hereby accepts for public purposes the real property, or interest therein, described in this instrument and consents to the recordation thereof.

IN WITNESS WHEREOF, I have hereunto set my hand this 8th day of March, 2016.

DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES

By: ____________________________

For the Commissioner

Filed for Record at the Request of and Return to:
State of Alaska
DOT&PF – Right of Way Dept. - M1
2301 Peger Road, MS 2553
Fairbanks, AK 99709-5399
State Business-No Charge

25A-R610 (Rev 09/01/06)
STATE OF ALASKA
DEPARTMENT OF TRANSPORTATION
&
PUBLIC FACILITIES

RIGHT OF WAY REQUIRED
0002300 / Z628380000
MCGRA TH ROAD UPGRADE
NOTICE OF DECISION RE: HP2017-005

July 19, 2017

State of Alaska DOT & PF
Attn: Lauren Little, PE
2301 Peger Road
Fairbanks, AK 99709-5316

RE: HP2017-005 – McGrath Road Upgrades

Dear Ms. Little:

At its meeting of July 18, 2017, the Planning Commission approved the above referenced highway project.

For the purposes of the local review process, this project was classified as a non-significant, public hearing item. Since the application did not involve relocation of business(s), changing the function of a roadway to be constructed and/or connecting roads, and there was no controversy or public controversy expected, this concludes the local review process and the remainder of the 90-day objection period is waived.

Thank you for your cooperation and assistance during the review process. If you have any questions, please feel free to contact me at 459-1260.

Sincerely,

D. Christine Nelson, AICP
Community Planning Director

DCN/dg
NOTICE OF DECISION RE: HP2017-005

July 19, 2017

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Sincerely,

D. Christine Nelson, AICP
Community Planning Director

DCN/dg

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PUBLIC NOTICE SIGN POSTING AFFIDAVIT

STATE OF ALASKA )
 ) ss.
FOURTH JUDICIAL DISTRICT )

1. Brian K. Roberts, being first duly sworn, depose and state that:
   1. I have submitted an application identified as 2019-004.
   2. I have posted and will maintain public notice sign #3-6 in accordance with the following provisions:
      a. Sign is posted on the property on which my request for rezone, conditional use or variance has been made.
      b. Sign is clearly visible from streets and roads.
      c. Sign will be maintained free of snow or other materials which impede readability.
      d. Sign is posted between an elevation of 2' and 8' above ground level and no further than 50' from the edge of the road to further ensure readability from streets.
      e. Sign was posted on 7/24/2019 (date) and complies with posting requirements of 20 days prior to the public hearing date.
      f. I shall return the sign to the FNSB Department of Community Planning within 10 days following the final public hearing.
   3. I understand a refund check of $200.00 (the amount I have deposited for said sign) will be issued 7-10 days following return of the sign providing that sign is returned in usable condition. I further understand I may receive only partial refund if the sign is damaged when returned to the Borough.
   4. This document is null and void when necessary action has been completed as provided in Item #2 f.

   Signature
   Brian K. Roberts
   2/301 Higdon Rd.
   Fairbanks, AK 99709
   (Print Name and Address of Affiant)

SUBSCRIBED AND SWORN TO BEFORE ME on this 24th day of July, 2019

Commission Expires

Fairbanks North Star Borough is subject to the Alaska Public Records Act, AS 40.25 et seq. and this document may be subject to public disclosure under state law.
FNSB Department of Community Planning

Public Hearing

Call 459-1260

V2019-004
On August 9, 2019 the Fairbanks North Star Borough Department of Community Planning researched information pertaining lot size status for the property identified as Tax Lot 2438, Section 24, T1N, R1W, F.M. in the Rural and Agricultural 5 (RA-5) zone. The Fairbanks North Star Borough Department of Community Planning compiled the below information:

1. The property identified as Tax Lot 2438, Section 24, T1N, R1W, F.M. is 91,392 square feet in size and zoned Rural and Agricultural 5 (RA-5) (Attachment 1). The lot does not comply with RA-5 zoning standards because it does not meet the current minimum lot size requirement of 200,000 square feet.

2. The subject lot is described in a warranty deed dated April 4, 1967 (Attachment 2). When the lot was created it was 95,832 square feet in size.

3. The property was zoned Unrestricted Use (UU) with the adoption of Ordinance No. 67-34 on March 28, 1968 (Attachment 3). There was no minimum lot size requirement for the UU zone.

4. Fairbanks North Star Borough adopted its zoning regulations with the adoption of Ordinance No. 67-34 on March 28, 1968. FNSBC 49.15.020 defined “Lot of Record” as “a plot of land, the description of which has been recorded in the office of the District Magistrate” (Attachment 3). This code provision remained in effect until 1988.

5. FNSBC 49.15.030 stated that “lots of record, or uses of land or structures existing at the time of adoption of, or amendment to, this ordinance may be continued even though they do not conform to the standards established by this ordinance” (Attachment 3). This code provision remained in effect until 1988.
6. The subject parcel was rezoned from UU to Rural and Agricultural 5 (RA-5) zone with the adoption of Ordinance No. 88-010 on April 19, 1988, instituting a minimum lot size requirement of 200,000 square feet (Attachment 4).

7. The State of Alaska DOT filed a Right of Way Deed on March 12, 2018, acquiring 4,440 square feet of TL 2438, leaving the parcel in its current size of 91,392 square feet (Attachment 5).

8. The property identified as Tax Lot 2438, Section 24, T1N, R1W, F.M. has not been further altered since it was described by deed in 2018.

Because a statutory warranty deed for the property identified as Tax Lot 2438, Section 24, T1N, R1W, F.M. was recorded in 1967 and met the definition of a lot of record, prior to the establishment of the 200,000 sq. ft. minimum lot size requirement with the adoption of Ordinance No. 88-010 on April 19, 1988; Tax Lot 2438, Section 24, T1N, R1W, F.M. was created prior to the lot size minimum requirement of 200,000 sq. ft in the Rural and Agricultural (RA-5) zone.
Property Information for PAN#: 0686647

STATUS: ACTIVE - ROLL TYPE 1
PROPERTY DESCRIPTION: 1N 1W, SEC: 24, TAXLOT: 2438
OWNER: Parker Quinton Odell [ownership], Sandstrom Wayne
Robert [duplicate Notice & Bill]
BILLING ADDRESS: 3930 Tibor St Fairbanks, AK 99701 7262
SITUS ADDRESS: N/A
PARCEL SIZE: 91392 SF
NEIGHBORHOOD: Farmers Loop (0902)
LAND CLASS: General Residential Lowlands
PRIMARY USE: Residential
FLOOD ZONE: X (100%)
SPECIAL REG. AREAS: None
ZONING: RA-5 (100%)
COMP PLAN: Perimeter Area (100%), Perimeter Boundary (100%)
PLANNING DISTRICT: North Fairbanks (100%)
ROAD DISTRICT: N/A
URBAN BOUNDARY (2003): YES
ROAD SERVICE AREA: None
FIRE SERVICE AREA: Steese (100%)
FIRE SERVICE (Property DB): Steese Vol Fire S A
STRUCTURES: Rental Cabin, Dry (1 Unit), Rental Cabin, Dry (1 Unit), Rental Cabin, Dry (1 Unit)
BUSINESS ON SITE: N/A
MILL GROUP: Steese Volunteer Fire Service Area (0937)
(Est. Mill Rate: 14.39)
PLAT NUMBER: _no plat (___No Plat)
DESCRIPTION (VAULT): TL 2438 SECTION 24 1N 1W
Right-of-Way Deed 2018-003777-0 - 3/12/2018
Previously assessed as 1N 1W 24 2407
COMMUNITY PLANNING PERMITS: NONE

Assessment History

<table>
<thead>
<tr>
<th>Year</th>
<th>Land Improvements</th>
<th>Total</th>
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<tbody>
<tr>
<td>2019</td>
<td>$15,683</td>
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</table>

The Fairbanks North Star Borough does not warrant the accuracy of maps or data provided, nor their suitability for any particular application. There may be errors in the data.
STATUTORY WARRANTY DEED
(As provided by A.S. 34.15.030)

The grantor, EMILY H. BAHLKE and FRANK GRANITE

of Seattle, Washington, for and in consideration of

Ten Dollars ($10.00) and other good and sufficient consideration,

in hand paid, conveys and warrants to WILLIAM C. ARANT and

ALICIA M. ARANT, husband and wife,

the following described real estate situated in the State of

Alaska:

From the South center one Sixteenth corner of Section 24,
Towship One North, Range One West, Fairbanks, Meridian, which
is the Northwest corner of the Southwest Quarter of the
Southwest Quarter of said Section 24; thence South 0° 12' 27"
West along the West boundary of the Southwest Quarter of the
Southwest Quarter of Section 24; a distance of 30.0 feet to
the point of beginning; thence South 0° 12' 27" West a distance
of 240.0 feet; thence North 89° 57' West, a distance of 447.78
feet to the East edge of the McGrath Road right of way; thence
along the East edge of the McGrath Road right of way, North
16° 23' 46" East a distance of 253.97 feet; thence South 89° 57'
East, a distance of 369.09 feet to the point of beginning.

U.S. R. 41, T. 1, S. 7

Official 45-67
(John, Deputy Recorder)

Dated this day of March 28, 1967

WASHINGTON
STATE OF ALASKA.

THIS IS TO CERTIFY that on this 28 day of March
1967, before me, the undersigned, a notary public in and for
the State of Alaska, personally appeared EMILY H. BAHLKE and
FRANK GRANITE

to me known to be the persons described in and who executed the
within and foregoing Deed, and acknowledged to me that he signed
and-sealed the said instrument as their free and voluntary act
and deed for the uses and purposes therein mentioned.

WITNESS my hand and notarial seal on the day and year in
this certificate first above written.

M. M. PETERSON
Notary Public in and for Alaska
My Commission expires July 20, 1970

RECORDED OF
PUBLICATION
FILED ON
APRIL 8, 1967

Transamerica Title Insurance Co.
P.O. Box 179
Fairbanks, Alaska
ORDINANCE NO. 67-34

AN ORDINANCE AMENDING THE FAIRBANKS NORTH STAR BOROUGH CODE OF ORDINANCES, TITLE 49, BY DELETING CHAPTER 15, FAIRBANKS ZONING; CHAPTER 20, UNIVERSITY AVENUE ZONING; AND CHAPTER 25, MUSKOKA ZONING; AND CODIFYING THE FOLLOWING ORDINANCE AS CHAPTER 15, FAIRBANKS NORTH STAR BOROUGH CODE OF ORDINANCES

WHEREAS, the Fairbanks North Star Borough Planning Commission has caused to be prepared a proposed Planning and Zoning Ordinance for the Fairbanks North Star Borough, has held public hearings on said proposed ordinance, and has recommended to the Fairbanks North Star Borough Assembly that the Ordinance be adopted,

NOW, THEREFORE, BE IT ORDAINED by the Assembly of the Fairbanks North Star Borough, Alaska, that the Fairbanks North Star Borough Code of Ordinances be amended by deletion of Chapters 15, 20, and 25, Title 49, and by adding Chapter 15, Title 49, as noted on the following pages, annexed Exhibit A.

PASSED AND APPROVED this 28th day of March, 1968.

[Signature]
Presiding Officer

[Signature]
Clerk of the Assembly
<table>
<thead>
<tr>
<th>Section</th>
<th>Description</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sec. 49.15.005</td>
<td>Short Title</td>
<td>21</td>
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<tr>
<td>Sec. 49.15.010</td>
<td>Purpose</td>
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<tr>
<td>Sec. 49.15.020</td>
<td>Definitions</td>
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<td>Sec. 49.15.040</td>
<td>Non-Conforming Lots, Structures, and Uses</td>
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<td>Sec. 49.15.050</td>
<td>Zone Abbreviations</td>
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<tr>
<td>Sec. 49.15.060</td>
<td>Zone Boundaries</td>
<td>24</td>
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<tr>
<td>Sec. 49.15.070</td>
<td>Unrestricted Use Zone</td>
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<tr>
<td>Sec. 49.15.080</td>
<td>Permitted Uses</td>
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<td>Sec. 49.15.090</td>
<td>Permitted Signs</td>
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<td>Sec. 49.15.100</td>
<td>Geometrical Standard for Lots</td>
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<td>Sec. 49.15.100</td>
<td>Fire Walls</td>
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<td>Sec. 49.15.110</td>
<td>Fences</td>
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<td>Visibility at Street</td>
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<td>Intersections</td>
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<td>Off-Street Parking</td>
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<td>Sec. 49.15.150</td>
<td>Off-Street Loading</td>
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<td>Sec. 49.15.160</td>
<td>Driveways</td>
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<td>Sec. 49.15.170</td>
<td>Development Standards</td>
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<td>Conditional Use Permits</td>
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<td>Sec. 49.15.220</td>
<td>Special Exceptions</td>
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<td>Sec. 49.15.230</td>
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<td>Hearings</td>
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<td>Sec. 49.15.280</td>
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<td>Minimum Requirements</td>
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<td>Severability</td>
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<td>Sec. 49.15.300</td>
<td>Repeal</td>
<td>51</td>
</tr>
</tbody>
</table>
EXHIBIT A

TITLE 49, CHAPTER 15

Sec. 49.15.005. Short Title. This Ordinance may be referred to as "Fairbanks North Star Borough Zoning Ordinance".

Sec. 49.15.010. Purpose. The provisions of this Ordinance are for promotion of the public health, safety and welfare.

Sec. 49.15.020. Definitions. For the purpose of this Ordinance the word "shall" is mandatory, the word "may" is permissive. Certain other terms or words used herein shall be interpreted as follows:

(a) Alley. A public way designed and intended to provide a secondary means of access only to any property abutting thereon.

(b) Automotive Repair, Major. Major repair or rebuilding of engines, motor vehicles, or trailers; body, frame, or fender straightening or repair; overall painting.

(c) Automotive Repair, Minor. Replacement of minor parts; tune-up; lubrication; washing and polishing of passenger cars and trucks not exceeding 2-1/2 ton capacity.

(d) Automotive Wrecking. Dismantling of motor vehicles or trailers; storage or sale of wrecked vehicles or of parts from dismantled, partially dismantled, or wrecked vehicles.

(e) Building Area. The total of areas covered by a roof, building, or other above-ground structure taken on a horizontal plane plus any additional required off-street parking.

(f) Conditional Use. A use that is essential to or would promote the public health, safety, or welfare but which would also impair the integrity and character of the zone in which the use is conditionally permitted, or of adjoining zones, unless restrictions on location, size, or extent are imposed in addition to those imposed on "permitted uses".

(g) Dwelling Unit. One or more rooms intended as a living unit for one household and having kitchen facilities.

(h) Guest Room. A room in a hotel or rooming house used to provide sleeping accommodations.
(i) Hospital. A building or portion thereof used for the treatment of sick, injured, or infirm persons, and accredited by the American Hospital Association.

(j) Hotel. A building or group of buildings in which there are guest rooms used for general public lodging, on a day-to-day basis.

(k) Junk. Dismantled or wrecked vehicles or machinery, used appliances and furniture, scrap metals, rubber, paper, plastic, or other scrap materials.

(l) Junk Yard. The use of more than 500 square feet of the area of any lot for the dismantling or wrecking of automobiles, other vehicles, or machinery, the storage or keeping of the parts or equipment resulting from such dismantling or wrecking, or the storage or keeping of junk.

(m) Kennels. A lot on which are maintained out of doors four or more dogs.

(n) Lot. A plot of land occupied or to be occupied by a principal use.

(o) Lot of Record. A plot of land, the description of which has been recorded in the office of the District Magistrate.

(p) Lot Line, Interior. A line separating a lot from another lot or from an alley.

(q) Lot Line, Street. A line separating a lot from a street.

(r) Mineral Extraction. The taking from the ground, for commercial use or processing, ore, dirt, sand, gravel, rock, other inorganic material, peat, gas, oil, or coal.

(s) Mobile Home. A dwelling which is designed for transportation as one unit, after fabrication, on highways to a site where it is to be occupied and at which site it arrives complete and ready for occupancy, except for incidental unpacking and assembly operations, location on jacks or foundations, and connections to utilities.

(t) Nursery, Children's. A home or institution used and maintained commercially to provide daily care for five or more children.

(u) Off-Street. An area located entirely outside of the dedicated right-of-way of a street or alley.
(v) Parking Lot. A commercial or public off-street parking facility.

(w) Person. A natural person, his heirs, executors, administrators or assigns, and also including firm, partnership, corporation, its or their successors or assigns, trust, or other legal entity, or agent of any of the aforesaid.

(x) Principal Use. The major or predominant use of a lot, as described in Sec. 49.15.160, Schedule A.

(y) Rooming House. A building where lodging, with or without meals is provided for compensation for three or more persons, and which is not operated for transient guests.

(z) Sanitorium. A building used for caring for aged, or convalescent persons, for which a license is required by a city, borough, state, or federal agency.

(aa) Sign. A single display surface or display device, containing elements organized, related, and composed to form a unit and visible from a street.

(bb) Sign Area. The entire area within a regular geometric form, or combinations of regular geometric forms, comprising all of the display areas or exposed sides of a sign.

(cc) Street. A public right-of-way used as a thoroughfare or which is designed and intended to provide the primary means of access to property abutting thereon.

(dd) Trailer. A vehicle used or intended to be used as transient living or sleeping quarters for humans and which may be driven, towed, or propelled from one location to another without change in structure or design, whether or not the same be supported by wheels, and including trailers, trailer coaches, house cars, and pick-up campers.

(ee) Trailer Park. A lot used for the parking of two or more trailers.

(ff) Use. The purpose of which land or a building is arranged, designed, or intended, or for which either land or a building is occupied or maintained.

(gg) Yard. That portion of a lot not covered by the building area.

(hh) Yard, Interior. A yard extending across the full width or depth of a lot between a building and an interior lot line.

(ii) Yard, Street. A yard extending across the full width or depth of a lot between a building and a street lot line.

(jj) Zone. A portion of the Fairbanks North Star Borough within which certain uniform uses are permitted under the provisions of this ordinance.
(kk) Zone Change. The alteration of a zone boundary or the re-
classification of a lot from one zone to another.

Sec. 49.15.030. Non-Conforming Lots, Structures, and Uses. Lots of record, or uses of land or structures existing at the time of adoption of, or amendment to, this ordinance may be continued even though they do not conform to the standards established by this ordinance, provided any such non-conforming use which is discontinued for a period of twelve months may not be re-established; and, provided further no such non-conforming structure or use may be expanded except in accordance with the standards established by this ordinance.

Sec. 49.15.040. Zone Abbreviations. The following zones and their respective two-letter abbreviations are established:

<table>
<thead>
<tr>
<th>ZONE</th>
<th>ABBREVIATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>(a) Outdoor Recreation</td>
<td>OR</td>
</tr>
<tr>
<td>(b) General Agriculture</td>
<td>GA</td>
</tr>
<tr>
<td>(c) Rural Estate</td>
<td>RE</td>
</tr>
<tr>
<td>(d) Rural Residential</td>
<td>RR</td>
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<tr>
<td>(e) Restricted Residential</td>
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<tr>
<td>(f) General Residential</td>
<td>R2</td>
</tr>
<tr>
<td>(g) Multiple Residential</td>
<td>R3</td>
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<tr>
<td>(h) Neighborhood Shopping</td>
<td>NS</td>
</tr>
<tr>
<td>(i) Business</td>
<td>BS</td>
</tr>
<tr>
<td>(j) Light Industrial</td>
<td>LI</td>
</tr>
<tr>
<td>(k) Heavy Industrial</td>
<td>HI</td>
</tr>
<tr>
<td>(l) Unrestricted Use</td>
<td>UU</td>
</tr>
</tbody>
</table>

Sec. 49.15.050. Zone Boundaries. The Fairbanks North Star Borough shall be divided into zones as described on the following pages:
Sec. 49.15.050. Zone Boundaries.

(a) Outdoor Recreation Zone. That portion of land lying north of Airport Way, west of Moore Street, south of the Chena River and east of Peger Road.
Sec. 49.15.050. Zone Boundaries.

(b) General Agriculture Zone. None.
Sec. 49.15.050. Zone Boundaries.

(c) Rural Estate Zone. The Musk Ox Subdivision described as:

S-1/2 SW-1/4 Sec. 17, T1N, R1W; N-1/2 Sec. 19,
T1N, R1W; W-1/2 Sec. 20, T1N, R1W all of the
Fairbanks Meridian.
Sec. 49.15.050. Zone Boundaries.

(d) Rural Residential Zone, Boyd Subdivision, No. 1 and 2, Sec. 8, T1S, R1W, Fairbanks Meridian;

Halvorson Estate Subdivision, Sec. 8, T1S, R1W, Fairbanks Meridian;

Sprucewood Subdivision, Sec. 7, T1S, R1W, Fairbanks Meridian;

Wilcox Subdivision, Sec. 7, T1S, R1W, Fairbanks Meridian;

That area bounded by University Avenue, the Alaska Railroad Tracks, Noyes Slough and the north section line of Sec. 8, T1S, R1W, Fairbanks Meridian,
Sec. 49.15.050. Zone Boundaries.

(e) Restricted Residential Zone.

<table>
<thead>
<tr>
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<th>Blocks</th>
<th>Subdivision</th>
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<tr>
<td>1</td>
<td>11</td>
<td>South Addn. to Westgate</td>
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</tbody>
</table>

A parcel of land 800 feet by 150 feet lying between Lots 1 and 2 of Block 4, Taku;

A parcel of land 150 feet by 100 feet lying between Lots 6 and 7, Block 6, Taku;

That portion of Block 210 which is an irregularly shaped parcel of land 500 feet deep on 16th Avenue and 520 feet long, bounded on the east by Hunter School, on the north by 16th Avenue, on the west by Cowles Street, and on the south by 17th Avenue;
That area bounded by Young Street on the west, Stewart Street on the east, Crosson Avenue on the South and Tenth Avenue on the north. (The area immediately described above is often referred to as Blocks 148, 149, 150 and 153, Fairbanks Townsite.);

That area bounded on the north by Second Avenue, on the west by Young Street, on the south by 10th Avenue, on the east by Wien Avenue, Fairbanks Townsite. (This area is often referred to as Block 152, Fairbanks Townsite.);

The North Addition to Westgate Subdivision;

All of the Northwest Portion of Hamilton Acres, all of the Middle East Portion of Hamilton Acres, and all of the Northeast Portion of Hamilton Acres, according to the plats filed as instrument numbers 133,741; 122,417; and 107,114 respectively in the District Recorder's Office, Fairbanks, Alaska; and all of Timberland Subdivision, according to the plat filed as instrument number 126,520 in the District Recorder's Office, Fairbanks, Alaska; and NW-1/4 SW-1/4, Section 12, T1S, R1W, Fairbanks Meridian and that part of the east 1/2 of Section 11, T1S, R1W, Fairbanks Meridian, bounded on the north and east by Hamilton Acres Subdivision and on the south by the Chena River and on the west by the City Limits of Fairbanks, as of November 22, 1967.

That tract or parcel of land in Section 16, T1S, R1W, Fairbanks Meridian east of the west 16th line of said section except the NE-1/4 NW-1/4 and the NW-1/4 NE-1/4 of said section.

All city owned property between Airport Way and 19th Avenue not presently zoned otherwise.
Sec. 49.15.050. Zone Boundaries.

(f) General Residential Zone. All lots and blocks (and tracts) located within the limits of the City of Fairbanks, Alaska, as of November 27, 1967, not included in another zone.
Sec. 49.15.050. Zone Boundaries.

(g) Multiple Residential Zone.

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<th>Subdivision</th>
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<td>8,9,10</td>
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<td>7</td>
<td>129</td>
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<tr>
<td>A11</td>
<td>137,146,151</td>
<td>Fairbanks Townsite</td>
</tr>
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</table>

Blocks A2 and A3 of Tract A, Fairbanks Townsite;

Beginning at the intersection of the south right-of-way line of Airport Way and the east right-of-way line of Lathrop Street; thence S 0° 01' W a distance of 80 feet; thence S 59° 59' E a distance of 320 feet; thence S 89° 59' E a distance of 500 feet; thence N 0° 01' E to the S right-of-way line of Airport Way; thence westerly along the south right-of-way line of Airport Way to the point of beginning;

That area bounded on the north by 17th Avenue, on the South by 22nd Avenue, on the east by Mercier Street on the west by Turner Street.
Sec. 49.15.050.  Zone Boundaries.

(h) Neighborhood Shopping Zone.  Block 135, Weeks Field Subdivision;
    Block 10, South Addition to Westgate Subdivision.
Sec. 49.15.050. Zone Boundaries.

(i) Business Zone.

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<td>5,6,7</td>
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<td>11 through 16</td>
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<tr>
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<tr>
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<tr>
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<td>1 through 10</td>
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<tr>
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<tr>
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<tr>
<td>21,22</td>
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<td>Sutherland</td>
</tr>
</tbody>
</table>

That area bounded on the north by Third Street, on the west by the Steese highway, and on the south and east by Circle Avenue in Graehl;
That part of the SE-1/4 of Section 9, T1S, R1W, Fairbanks Meridian described as follows:

Beginning at a point on the south section line of Sec. 9, T1S, R1W, Fairbanks Meridian that is approximately 967 feet west of the section corner common to Sections 9, 10, 15, 16, T1S, R1W, Fairbanks Meridian; thence north approximately 825 feet to the south right-of-way line of Airport Way, thence east along the right-of-way line of Airport Way 660 feet; thence south approximately 825 feet to the south section line; thence west 660 feet to the point of beginning.

Beginning at the intersection of the south right-of-way line of Airport Way and the west right-of-way line of Cowles Street; thence south along the west right-of-way line of Cowles Street a distance of 180 feet; thence south 60° 01' W a distance of 320 feet; thence N 89° 59' W a distance of 409.87 feet; thence N 0° 01' E to the south right-of-way line of Airport Way; thence easterly along the south right-of-way line of Airport Way to the point of beginning.

The NE-1/4 of the NW-1/4 and the NW-1/4 of the NE-1/4 Section 16, T1S, R1W, Fairbanks Meridian;

The S-1/2 SW-1/4 SW-1/4, Section 9, T1S, R1W, Fairbanks Meridian.
Sec. 49.15.050. Zone Boundaries.

(j) Light Industrial Zone.

<table>
<thead>
<tr>
<th>Lots</th>
<th>Blocks</th>
<th>Subdivision</th>
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<tbody>
<tr>
<td>A11</td>
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<td>Rivers-Judd</td>
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<td>1,3,5,7,9,10</td>
<td>8</td>
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<tr>
<td>A11</td>
<td>11A</td>
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</tr>
<tr>
<td>A11</td>
<td>A11</td>
<td>South Cushman</td>
</tr>
</tbody>
</table>

The area bounded on the north by Phillips Field Road, on the west by ARR, on the south by the north boundary line of Lot 8, North Addition and on the east by Lots 19 and 20 of Block 3, North Addition;

That area bounded by Minnie Street on the north, Noyes Slough on the south and east and an extension of the westerly right-of-way line of Clara Street on the west;

All of Block 12 Slater Subdivision except the portion lying north of a line that is the north boundary of Lots 1, 3, 5, 7, 9;

That area west of the West 16th line of Section 16, T1S, R1W, Fairbanks Meridian except for a strip 50 feet in width along the west section line of said section;

That part of the Robert H. Day Homestead lying in Government Lots 7 and 8 of Section 9, T1S, R1W, Fairbanks Meridian, described as follows:

Beginning at a point on the north line of Second Avenue that is south 72° 16' West 1,345.44 feet from the southwest corner of Block 26, Townsite of Fairbanks, according to the survey of said Townsite, known as the L.S. Robe Map of 1909, reproduced by Karl Theile, U.S. Surveyor-General in 1922; thence along the north line of Second Avenue, north 61° 22' east 336.75 feet; thence north 25° 03' west 158.90 feet to the
south bank of the Chena River; thence south 85° 21' west 215.10 feet; thence south 82° 24' west 284.81 feet to the easterly boundary line of a roadway; thence along said roadway, south 20° 27' east 421.79 feet to the north line of said Second Avenue; thence north 60° 40' east 139.60 feet to the point of beginning.

That part of Graehl Townsite bounded on the south by Hinnie Street, on the east by the Steese Highway; on the north by City Limits of Fairbanks as of November 22, 1967, and on the west by Noyes Slough.

That part of Graehl Townsite bounded on the north by Hinnie Street, on the east by the Steese Highway, on the south by Second Avenue and on the west by a line described as follows:

Beginning on the north right-of-way line of Second Street 139.26 feet W of the westerly right-of-way line of the Steese Highway; thence N 41° 46' E 124 feet, thence westerly 90 feet to a lot line, thence N 39° 10' E approximately 120 feet along said lot line to Hinnie Street.

That area bounded on the east by Illinois Street; on the south by Phillips Field Road; on the west by a line described as follows:

Beginning at the intersection of Phillips Field Road and Illinois Street thence northwesterly approximately 550 feet along Phillips Field Road to a point of intersection with the tracks of the Alaska Railroad which is the point of beginning, thence northeasterly approximately 1500 feet along the siding of the Alaska Railroad to a point described as follows:

Beginning at corner number 2 of U.S. Survey 2159 (located at the intersection of the southerly right-of-way line of Phillips Field Road extended and the westerly right-of-way line of Illinois Street) thence N 67° 20' W 480.47 feet, thence N 27° 17' E 479.35 feet, thence N 17° 37' W 85.00 feet, thence N 27° 23' E 192.13 feet, thence N 85° 23' E 84.44 feet, thence N 42° 06' E 438.42 feet to a point on the southerly bank of Noyes Slough; and on the north by Noyes Slough.
Sec. 49.15.050. Zone Boundaries.

(k) Heavy Industrial Zone.

That area bounded on the east by a line described as follows:

Beginning at the intersection of Phillips Field Road and Illinois Street, thence northwesterly approximately 550 feet along Phillips Field Road to a point of intersection with the tracks of the Alaska Railroad which is the point of beginning, thence northeasterly approximately 1500 feet along the siding of the Alaska Railroad to a point described as follows:

Beginning at corner no. 2, U.S. Survey 2159 (located at the intersection of the southerly right-of-way line of Phillips Field Road extended and the westerly right-of-way line of Illinois Street) thence N 67° 20' W 480.47 feet, thence N 27° 17' E 470.35 feet, thence N 17° 37' W 85.00 feet, thence N 27° 23' E 192.15 feet, thence N 35° 23' E 88.44 feet, thence N 42° 06' E 438.42' to a point on the southerly bank of Hoyes Slough; on the north and west by Hoyes Slough and the southerly right-of-way line of the Alaska Railroad Fort Wainwright Spur and on the south by Phillips Field Road.

That area bounded on the south by the Chena River, on the east by the centerline of North Cushman Street and the centerline of North Cushman Street extended, on the north by Phillips Field Road, and on the west by the west section line of Section 10, T16S, R1W, Fairbanks Meridian, except Brandt Subdivision; and

<table>
<thead>
<tr>
<th>Lots</th>
<th>Blocks</th>
<th>Subdivisions</th>
</tr>
</thead>
<tbody>
<tr>
<td>All</td>
<td>1</td>
<td>Fairbanks Townsite</td>
</tr>
<tr>
<td>All</td>
<td>2</td>
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<tr>
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<tr>
<td>All</td>
<td>8</td>
<td>Fairbanks Townsite</td>
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<tr>
<td>All</td>
<td>9</td>
<td>Fairbanks Townsite</td>
</tr>
<tr>
<td>18 through 21</td>
<td>10</td>
<td>Fairbanks Townsite</td>
</tr>
<tr>
<td>1,2a,2b</td>
<td>71</td>
<td>Fairbanks Townsite</td>
</tr>
</tbody>
</table>
Section 49.15.050. Zone Boundaries.

(1) Unrestricted Use Zone. All land within the Fairbanks North Star Borough not in any other zone.
Sec. 49.15.060. Unrestricted Use Zone. Notwithstanding any statements to the contrary in this ordinance, no restrictions, standards, conditions, or permits provided for other zones shall apply in the UU Zone. In the UU zone, structures of any type and size may be placed or constructed on any lot, and any use may be made of the lot or of structures thereon.

Sec. 49.15.070. Permitted Uses. The land and building uses which are permitted in each established zone are shown in Sec. 49.15.160 Schedule A, except that permitted signs are described in Sec. 49.15.080. Uses permitted outright are indicated by the letter "P". Uses conditionally permitted, in accordance with Sec. 49.15.200 of this ordinance are indicated by the letter "C". Uses not permitted are indicated by the letter "N". Detached accessory buildings and other structures may be constructed on a lot. The lot and structures may be used for purposes customarily subordinate to the principal use of the lot. A business is permitted to be carried on within a dwelling if the business is incidental to the use of the dwelling for residence purposes and its conduct is not apparent from the exterior of the dwelling and does not adversely affect the principal uses permitted in the zone of which it is a part. The installation and maintenance of public utility lines are permitted in all zones.

Sec. 49.15.080. Permitted Signs. Signs are permitted in each zone to advertise the premises or the facilities, activities or enterprises situated on the lot on which the signs are located, as described in Sec. 49.15.160, Schedule B of this ordinance. A sign shall not be installed in a required yard, except in the OR, RA, RB and RR zones. A sign or light shall not be installed which would be a hazard to persons or traffic, or an obstruction to utilities. Permitted signs in the BS, LI and HI zones may overhang a sidewalk to within one foot of the curb line, provided the bottom of the sign is at least ten (10) feet above the sidewalk, and the sign shall extend beyond a line which begins at the intersection of a street lot line with an interior lot line and forms a 30 degree angle with the street lot line. Traffic, street and other public signs may be installed and maintained in any zone by a city, borough, state, or federal agency.

Sec. 49.15.090. Geometrical Standard for Lots. No building area shall be so placed as to cover more of its lot, be on a lot of less size, or have yards of less size, than as provided in Section 49.15.160, Schedule C. More than one structure containing a principal use may be placed on a single lot if the standards in Schedule C are maintained for each such structure. Twenty percent of a required yard may contain structures which do not extend more than two and one half feet above the ground.
Sec. 49.15.100. Fire Walls. An exterior building wall which is closer than three feet to an interior lot line shall have a fire rating of at least two hours as given in the 1959 Edition of Fire Resistance Ratings, published by the National Board of the Fire Underwriters.

Sec. 49.15.110. Fences. Fences and hedges are permitted in required yards except where their existence constitutes a menace to public safety.

Sec. 49.15.120. Visibility at Street Intersections. On a corner lot, nothing shall be placed or allowed to grow so as materially to impede vision between 2-1/2 and 10 feet above the centerline grades of the intersecting streets within a triangle, two sides of which are measured along the street lot lines from the corner for a distance of 1-1/2 times the required street yard depth. (Sec. 49.15.160, Schedule C).

Sec. 49.15.130. Off-Street Parking. Off-street parking is required in all zones except the Unrestricted Use Zone. NOTE: In the core area of Fairbanks bounded by First Avenue, Noble Street, Fifth Avenue and Barnette Street and First Avenue, Barnette Street, Third Avenue, and Wickersham Street all parking requirements shall be waived. No required off-street parking space shall be located in a required street yard. Required off-street parking spaces for one lot shall average at least 200 square feet in area and shall be easily accessible from a public street. Required off-street parking in NS, BS, LI and HI zones shall be provided within 300 feet of the lot having the use for which the parking is required.

Sec. 49.15.140. Off-Street Loading. At least one off-street loading berth shall be provided for every structure having over 8,000 square feet of floor area. A loading berth shall be at least 12 feet by 24 feet in area and have minimum vertical clearance of 14 feet.

Sec. 49.15.150. Driveways. Every driveway entrance onto a street or alley shall be 30 feet or more from the intersection of the curb lines of two streets or a street and an alley.

Sec. 49.15.160. Development Standards. The following schedules:

Schedule A - Permitted Uses
Schedule B - Permitted Signs
Schedule C - Geometrical Standards for Lots
Schedule D - Required Off-Street Parking

are incorporated in and made a part of this ordinance.
<table>
<thead>
<tr>
<th>Schedule A</th>
<th>O = Permitted Outright</th>
<th>C = Permitted Conditionally</th>
<th>N = Not Permitted</th>
</tr>
</thead>
<tbody>
<tr>
<td>P</td>
<td>R1 = Restricted Residential</td>
<td>R2 = General Residential</td>
<td>R3 = Multiple Residential</td>
</tr>
<tr>
<td>GA = General Agriculture</td>
<td>US = Neighborhood Shopping</td>
<td>RS = Light Industrial</td>
<td>LI = Heavy Industrial</td>
</tr>
<tr>
<td>RE = Rural Estate</td>
<td>BU = Business</td>
<td>SI = Unrestricted Use</td>
<td>HH = Unrestricted Use</td>
</tr>
</tbody>
</table>

<p>| 1. Parking lot, park with no overnight facility, trail, water sports facility, golf course, utility substation | P | P | C | C | C | C | P | P | P | P | P |
| 2. Trailer Park, Campground | P | P | N | N | N | N | N | N | P | N | N | P |
| 3. Residential structure containing one dwelling | P | P | P | P | P | P | P | N | N | N | N | P |
| 4. Residential structure containing two dwelling units | P | P | P | P | P | P | N | N | N | N | N | P |
| 5. Residential structure containing more than two dwelling units, Rooming House | N | N | N | N | N | N | N | P | P | P | N | P |
| 6. Mobile Home | P | P | C | C | C | C | C | P | P | P | C | N |
| 7. Educational or Religious Use, Social Hall | P | P | C | C | C | C | C | P | P | P | C | N |
| 8. Mortuary, Cemetery, Cemetery | P | P | C | N | N | C | C | P | P | C | N | N |
| 9. Hospital, Sanatorium, Nursing Home | C | N | N | N | N | N | P | N | P | N | N | P |
| 10. Commercial Radio &amp; TV Broadcasting Facility | C | P | N | N | N | N | C | C | P | P | P | P |
| 11. Commercial Agricultural Use &amp; Food and Beverage Processing | N | P | N | N | N | N | N | N | P | P | P | P |
| 12. Animal &amp; Veterinary Hospital, Kennels | P | P | C | N | N | N | N | N | C | P | P | P |
| 13. Saw Mill | C | P | N | N | N | N | N | N | N | N | N | P | P |</p>
<table>
<thead>
<tr>
<th>OR = Outdoor Recreation</th>
<th>R1 = Restricted Residential</th>
<th>BS = Business</th>
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<tbody>
<tr>
<td>GA = General Agriculture</td>
<td>R2 = General Residential</td>
<td>LI = Light Industrial</td>
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<tr>
<td>RE = Rural Estate</td>
<td>R3 = Multiple Residential</td>
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<td>RR = Rural Residential</td>
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<tr>
<td>14. Filling Station, Minor Automobile Repair</td>
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<td>15. Hardware Store, Garden Supply Store, Self-Service Dry Cleaning &amp; Laundry</td>
<td>N</td>
<td>N</td>
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<tr>
<td>16. Carpenter, Electrical, Plumbing, Machine, Sign, Heating, Sheetmetal, Painting, or Upholstering Shop, Tire Recapping, Major Automotive Repair, Bus Depot, Brewery, Contractor Storage Yard, Dry Cleaning Plant, Laundry, Warehouse, Storage Building, Bus or Truck Storage, Rail, Motor, Freight or Truck Terminal, Lumber Yard</td>
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<tr>
<td>17. Car, Mobile Home or Trailer Sales</td>
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<td>18. Drive-In Theater</td>
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<td>19. Heavy Contractor Equipment Storage Yard, Shop or Rental, Truck or Bus Repair</td>
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<td>20. Fraternal Organization</td>
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<td>21. Office, Bank, Library, Post Office</td>
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<tr>
<td>22. Museum, Auditorium, Indoor Sport Facility, Exhibition or Convention Hall</td>
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<td>23. Hotel, Motel</td>
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<td>P = Permitted Outright</td>
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<td>N = Not Permitted</td>
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<tr>
<th>24. Power Plant, above ground fuel storage, Tanning, Mineral Extraction</th>
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<table>
<thead>
<tr>
<th>25. Refining of Petroleum or Petroleum Products, Junk or Automotive Wrecking Yard, Smelting, Commercial Airports</th>
<th>O</th>
<th>G</th>
<th>R</th>
<th>R</th>
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<thead>
<tr>
<th>26. Manufacturing or Processing of Handicrafts or Garden Products Principally for Retail Sale on the Premises</th>
<th>O</th>
<th>G</th>
<th>R</th>
<th>R</th>
<th>R</th>
<th>R</th>
<th>R</th>
<th>R</th>
<th>N</th>
<th>B</th>
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<th>H</th>
<th>U</th>
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<tbody>
<tr>
<td>P</td>
<td>P</td>
<td>N</td>
<td>N</td>
<td>N</td>
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<td>N</td>
<td>N</td>
<td>C</td>
<td>P</td>
<td>P</td>
<td>C</td>
<td>P</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>27. Retail Business or Service Establishment, except as listed above</th>
<th>O</th>
<th>G</th>
<th>R</th>
<th>R</th>
<th>R</th>
<th>R</th>
<th>R</th>
<th>R</th>
<th>N</th>
<th>B</th>
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<tbody>
<tr>
<td>N</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>C</td>
<td>P</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>28. Manufacturing, except as listed above</th>
<th>O</th>
<th>G</th>
<th>R</th>
<th>R</th>
<th>R</th>
<th>R</th>
<th>R</th>
<th>R</th>
<th>N</th>
<th>B</th>
<th>L</th>
<th>H</th>
<th>U</th>
</tr>
</thead>
<tbody>
<tr>
<td>N</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>C</td>
<td>C</td>
<td>P</td>
<td>P</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>29. Private Airports</th>
<th>O</th>
<th>G</th>
<th>R</th>
<th>R</th>
<th>R</th>
<th>R</th>
<th>R</th>
<th>R</th>
<th>N</th>
<th>B</th>
<th>L</th>
<th>H</th>
<th>U</th>
</tr>
</thead>
<tbody>
<tr>
<td>P</td>
<td>P</td>
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<td>N</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
</tr>
</tbody>
</table>
## SCHEDULE B

### PERMITTED SIGNS

<table>
<thead>
<tr>
<th>Zones</th>
<th>Permitted Signs</th>
</tr>
</thead>
<tbody>
<tr>
<td>Outdoor Recreation</td>
<td>1. Any number of signs, the total area of which does not exceed three square feet per lineal foot of street lot line or three hundred square feet of sign area per lot, whichever is the lesser amount, provided that signs flat against the building, not extending beyond the building, and not having intermittent lighting or moving parts shall be excluded from area calculations.</td>
</tr>
<tr>
<td>General Agriculture</td>
<td></td>
</tr>
<tr>
<td>Business</td>
<td></td>
</tr>
<tr>
<td>Light Industrial</td>
<td>2. One sign per street lot line, not exceeding thirty square feet in area, advertising the sale, rental or lease of the premises.</td>
</tr>
<tr>
<td>Heavy Industrial</td>
<td></td>
</tr>
<tr>
<td>Rural Estate</td>
<td>3. Conditionally, temporary signs or commercial displays for special public events.</td>
</tr>
<tr>
<td>Rural Residential</td>
<td></td>
</tr>
<tr>
<td>Restricted Residential</td>
<td></td>
</tr>
<tr>
<td>General Residential</td>
<td></td>
</tr>
<tr>
<td>Multiple Residential</td>
<td></td>
</tr>
<tr>
<td>Neighborhood Shopping</td>
<td>1. One sign not exceeding two square feet in area, advertising a business carried on within a dwelling.</td>
</tr>
<tr>
<td></td>
<td>2. One sign not exceeding six square feet in area, advertising the sale, rental or lease of the premises.</td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

-45-
<table>
<thead>
<tr>
<th>Zones</th>
<th>Permitted Signs</th>
</tr>
</thead>
<tbody>
<tr>
<td>Unrestricted Use</td>
<td>1. Any number of signs, of any size, of any type, in any location.</td>
</tr>
</tbody>
</table>
### SCHEDULE C

**GEOMETRICAL STANDARDS FOR LOTS**

<table>
<thead>
<tr>
<th>ZONE</th>
<th>Maximum Building Area (% of Lot Area)</th>
<th>Minimum Lot Area (Square Feet)*</th>
<th>Minimum Street Yard Depth (Feet)</th>
<th>Minimum Interior Yard Depth (Feet)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Outdoor Recreation</td>
<td>10</td>
<td>200,000</td>
<td>50</td>
<td>50</td>
</tr>
<tr>
<td>General Agriculture</td>
<td>10</td>
<td>200,000</td>
<td>50</td>
<td>50</td>
</tr>
<tr>
<td>Rural Estate</td>
<td>5</td>
<td>80,000</td>
<td>35</td>
<td>35</td>
</tr>
<tr>
<td>Rural Residential</td>
<td>10</td>
<td>30,000</td>
<td>25</td>
<td>25</td>
</tr>
<tr>
<td>Restricted Residential</td>
<td>25</td>
<td>10,000</td>
<td>25</td>
<td>15</td>
</tr>
<tr>
<td>General Residential</td>
<td>40</td>
<td>4,000</td>
<td>20</td>
<td>15**</td>
</tr>
<tr>
<td>Multiple Residential</td>
<td>55</td>
<td>2,000</td>
<td>20</td>
<td>0</td>
</tr>
<tr>
<td>Neighborhood Shopping</td>
<td>90</td>
<td>2,000</td>
<td>20</td>
<td>0</td>
</tr>
<tr>
<td>Business</td>
<td>100</td>
<td>1,600</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Light Industrial</td>
<td>100</td>
<td>5,000</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Heavy Industrial</td>
<td>100</td>
<td>5,000</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Unrestricted Use</td>
<td>100</td>
<td>None</td>
<td>None</td>
<td>None</td>
</tr>
</tbody>
</table>

* A lot shall be of such shape as to encompass a rectangular area of at least twenty feet by forty feet exclusive of required yards.

** Except that building is permitted up to one interior lot line or each of two intersecting interior lot lines.
**SCHEDULE D**

**REQUIRED OFF-STREET PARKING**

<table>
<thead>
<tr>
<th>Category</th>
<th>Parking Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Assembly Hall, Bowling Alley</td>
<td>3 per 300 square feet</td>
</tr>
<tr>
<td>Furniture Store - sales area</td>
<td>1 per 500 square feet</td>
</tr>
<tr>
<td>Hospital, Sanitorium</td>
<td>1 per 3 beds</td>
</tr>
<tr>
<td>Hotel (guest rooms only; add other uses extra), Rooming House</td>
<td>3 per 4 guest rooms</td>
</tr>
<tr>
<td>Office</td>
<td>1 per 200 square feet</td>
</tr>
<tr>
<td>Residential</td>
<td>1 per dwelling unit</td>
</tr>
<tr>
<td>Store (except furniture) - sales area</td>
<td>1 per 200 square feet</td>
</tr>
<tr>
<td>Theater or auditorium (including school auditoriums), church, funeral parlor</td>
<td>1 per 4 seats</td>
</tr>
<tr>
<td>Restaurant</td>
<td>1 per 3 seats</td>
</tr>
<tr>
<td>Trailer Park, Motel</td>
<td>1 per unit</td>
</tr>
<tr>
<td>All commercial and industrial uses not otherwise designated</td>
<td>3 per 4 employees</td>
</tr>
</tbody>
</table>

*No off-street parking is required in the Unrestricted Use Zone, or in the downtown core area bounded by 1st Avenue to 5th Avenue, Noble Street to Barnette Street and 1st Avenue to 3rd Avenue, Barnette Street to Wickersham.*
Sec. 49.15.170. Zoning Officer. A Zoning Officer shall be designated by the Borough Chairman to administer this ordinance.

Sec. 49.15.180. Zoning Permits. A Zoning Permit shall be issued by the Zoning Officer before any excavation, construction or installation is started for a new structure or for modification of an existing structure which would result in a different use of the structure, an increase in the number of dwelling units in the structure, or in the size, height or location of the structure.

Sec. 49.15.190. Sign Permit. A Sign Permit shall be issued by the Zoning Officer prior to the installation of a sign, except those not exceeding six (6) square feet of sign area.

Sec. 49.15.200. Conditional Use Permits. Conditional Use Permits for uses conditionally permitted by Secs. 49.15.070 and 080 shall be issued only upon receipt of an affirmative recommendation from the Planning Commission. The Permit shall stipulate such conditions the Commission deems are required to maintain the integrity or character of the zone or adjacent zones. In any case where the conditions of the Permit have not been complied with, and after at least ten (10) days notice to the Permittee by the Zoning Officer, the Planning Commission may revoke such Permit.

Sec. 49.15.210. Special Exceptions. The Planning Commission may grant an increase or decrease, with or without conditions, in a numerical standard established by this ordinance if the application of that standard will deprive the applicant of use of his land or structure in a manner equivalent to the use permitted to be made by the owners of neighboring land or structures in the same zone.

Sec. 49.15.220. Amendments. This ordinance may be amended by the Borough Assembly, including changes in zone boundaries, upon recommendation by the Planning Commission or upon its own motion. The Planning Commission shall not recommend changing nor shall the Assembly change zone boundaries if more than 50% of the affected property owners object in writing to the proposed change. Requests by residents, owners or lessees for amendments shall be made in writing to the Planning Commission. Such a request shall state the area proposed for rezoning and shall contain the signatures of fifty (50) percent of the property owners within the area proposed for rezoning. Any area proposed for rezoning shall not contain any parcel owned by a person that comprises more than twenty-five (25%) percent of the total area in question unless the request contains the signature of said owner.

Sec. 49.15.230. Hearings. The Planning Commission shall hold a public hearing on every application for a Special Exception and on every application or proposal for a Zone Change or other change
in this ordinance; shall publish such notice in a newspaper of general circulation in the Fairbanks North Star Borough area at least 15 days prior to the date of the public hearing; shall render a decision on the application or proposal at or before the next regular meeting after the Public Hearing, and shall accept a schedule of fees for the processing of such application or proposals. The Zoning Officer shall send a notice of the time and place of each hearing to all owners or lessees of record of land within two hundred feet of the lot for which the hearing is being held. The notice shall be sent by Certified Mail at least ten (10) days before the hearing.

Sec. 49.15.240. Board of Adjustment. The Board of Adjustment for matters in an incorporated city is the City Council. The Board of Adjustment for matters outside an incorporated city is the Borough Assembly.

Sec. 49.15.250. Appeals. Appeals from actions by the Zoning Officer or Borough Planning Commission or Fairbanks North Star Borough Assembly shall be to the Board of Adjustment. Appeals from actions by the Board of Adjustment shall be to the Superior Court. All appeals shall be in writing within thirty (30) days of the action appealed. Notice of the appeal shall be given in the manner provided by law. (Sections 29.10.237 and 29.10.240 Alaska Statutes).

Sec. 49.15.260. Violations. A complaint of a violation of this ordinance shall be filed in writing with the Zoning Officer. When such complaint is filed, the Zoning Officer shall, as soon as possible, investigate, take appropriate action, and file a report with the Borough Chairman.

Sec. 49.15.270. Penalties. Violation of the provisions of this ordinance shall constitute a misdemeanor. A person who violates this ordinance shall, upon conviction thereof, be fined not more than Five Hundred ($500) Dollars or imprisoned not more than Sixty (60) days, or both, and in addition shall pay all costs involved in the case. Each thirty (30) days such violation continues after the filing of a complaint in the District or Superior Court shall be considered a separate offense.

Sec. 49.15.280. Minimum Requirements. In their interpretation and application, the provisions of this ordinance shall be held to be minimum requirements. Wherever the requirements of this ordinance differ from the requirements of any other lawfully adopted rules, regulations or ordinances, the most restrictive or that most imposing the higher standards shall govern.

Sec. 49.15.290. Severability. Should any section or provisions of this ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the ordinance as a whole or any part thereof other than the part so declared to be unconstitutional or invalid.

-50-
Sec. 49.15.300. Repeal. All ordinances and parts of ordinances of the Fairbanks North Star Borough, heretofore adopted, that are inconsistent with any of the terms and provisions of this ordinance are hereby repealed to the extent of such inconsistency.
ORDINANCE NO. 88-010

A ZONING ORDINANCE PROVIDING REGULATIONS TO PROMOTE THE PUBLIC HEALTH, SAFETY, AND WELFARE, BY CLASSIFYING THE BOROUGH INTO DIFFERENT DISTRICTS AND REGULATING THEREIN THE LOCATION, CONSTRUCTION, RECONSTRUCTION, ALTERATION, AND USE OF BUILDINGS, STRUCTURES, AND LAND.

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. Title 18, Fairbanks North Star Borough Code of Ordinances, is hereby repealed and replaced by Title 18, Fairbanks North Star Borough Code of Ordinances, as set forth in Exhibit A hereto.

Section 3. The official Borough zoning map shall be amended as provided for in the zoning ordinance text.

Section 4. Effective Date. This ordinance shall be effective on April 25, 1988.


ATTEST:

[Signature]
Presiding Officer

[Signature]
Clerk of the Assembly
Chapter 18.02.000  
COMPREHENSIVE PLAN

Sections:

18.02.010 Comprehensive Plan

18.02.010 Comprehensive Plan

This Ordinance is the regulation that implements the Fairbanks North Star Borough Comprehensive Plan, adopted in March, 1984. The Comprehensive Plan is a set of goal and policy statements and a map to guide the physical development of the Borough. In accordance with the Comprehensive Plan, the Borough Assembly shall guide and regulate the use of land through the adoption and enforcement of a Borough-wide zoning ordinance.

Annotation: Alaska Statutes require that the Borough have a comprehensive plan.

A.S. Title 29.40.030 Comprehensive Plan.

a. The Comprehensive Plan is a compilation of policy statements, goals, standards, and maps for guiding the physical, social, and economic development, both private and public, of the borough, and may include, but is not limited to, the following: statements of policies, goals, standards, the land use plan a community facilities plan, a transportation plan, and recommendations for implementation of the Comprehensive Plan.

b. With the recommendations of the planning commission, the assembly shall adopt by ordinance a comprehensive plan. The assembly shall, after receiving the recommendations of the planning commission, periodically undertake an overall review of the comprehensive plan and update the plan as necessary.
Chapter 18.04.000
GENERAL PROVISIONS

Sections:
18.04.010 Title
18.04.020 Purpose
18.04.030 Application of the Zoning Ordinance
18.04.040 Authority and Jurisdiction
18.04.050 Interpretation and Conflicts
18.04.060 Severability
18.04.070 Implementation

18.04.010 Title

The ordinance codified in this Title shall be known as the "Fairbanks North Star
Borough (FNSB) Zoning Ordinance" except as referred to and cited herein, where
it shall be known as "this Ordinance".

18.04.020 Purpose

The purposes of this Ordinance are to give effect to the Fairbanks North Star
Borough Comprehensive Plan heretofore duly adopted and approved and to regulate
public health, safety and welfare.

This Ordinance is also intended to promote the public health, safety, and
general welfare of the residents of the Borough, and safety from fire and to
promote the efficient distribution of water, sewage, schools, parks, and other
public requirements; to provide safe traffic flow on the public streets; and to
divide the Borough into districts.

18.04.030 Application of the Zoning Ordinance

All property, except that property exempted by law, shall be governed according
to the zoning district in which it is located.

Within each zoning district, the regulations and restrictions set forth in this
ordinance shall be deemed the minimum regulations and restrictions and shall
apply uniformly to each class or kind of use, building structure, or land.

Except as otherwise provided herein, no building, structure, or land shall be
used or occupied and no building or structure or part thereof shall be erected,
moved, or altered unless in conformity with the regulations specified for the
zone in which it is located. Structures and land use that becomes nonconforming
as a result of implementation of this ordinance shall have grandfather rights.

18.04.040 Authority and Jurisdiction

This Ordinance is enacted to establish and carry into effect the several powers,
duties, and privileges conferred upon the Fairbanks North Star Borough by
Title 29, Alaska Statutes.

18.04.050 Interpretation and Conflicts

It is not intended by this Ordinance to interfere with or abrogate and annul any
ordinance, rules, regulations, or permits previously adopted or issued and not
in conflict with any of the provision of this Ordinance, or which shall be
adopted or issued pursuant to law relating to the use of buildings or land, and
likewise not in conflict with this Ordinance. It is not intended by this Ordi-
nance to interfere with or abrogate and annul any easement, covenants, or other
agreements between any persons.
18.04.060 Severability

If any section or part hereof is for any reason declared unconstitutional or invalid, the validity of the remaining portions hereof shall not be affected.

18.04.070 Implementation

Upon adoption of this Ordinance, the following changes shall be made to the Official Zoning Map. Land zoned Q, Holding prior to the adoption of this Ordinance, shall become zoned to the largest contiguous zoning district. Grandfathering of all land uses shall take precedent when a conflict arises.

<table>
<thead>
<tr>
<th>Zoning Districts in Effect Prior to the Adoption of this Ordinance</th>
<th>Shall Be Changed To</th>
<th>Overlay Zones as Provided by this Ordinance</th>
</tr>
</thead>
<tbody>
<tr>
<td>QR, Outdoor Recreation</td>
<td>RA-40, Rural and Agricultural</td>
<td></td>
</tr>
<tr>
<td>CA-40, General Agriculture</td>
<td>RA-20, Rural and Agricultural</td>
<td></td>
</tr>
<tr>
<td>CA-10, General Agriculture</td>
<td>RA-10, Rural and Agricultural</td>
<td></td>
</tr>
<tr>
<td>CA, General Agriculture</td>
<td>RA-5, Rural and Agricultural</td>
<td></td>
</tr>
<tr>
<td>RE-LAI, Rural Estate</td>
<td>RE-4, Rural Estate</td>
<td>RE-4, Rural Estate with MHS, Mobile Home Subdivision Overlay</td>
</tr>
<tr>
<td>RE-LAI, Rural Estate</td>
<td>RE-4, Rural Estate</td>
<td>RE-4, Rural Estate with MHS, Mobile Home Subdivision Overlay</td>
</tr>
<tr>
<td>RE, Rural Estate</td>
<td>RE-2, Rural Estate</td>
<td>RE-1, Rural Estate</td>
</tr>
<tr>
<td>REI-LAI, Rural Estate I</td>
<td>RE-4, Rural Estate</td>
<td>RE-4, Rural Estate with MHS, Mobile Home Subdivision Overlay</td>
</tr>
<tr>
<td>RR-LAI, Rural Residential</td>
<td>RE-2, Rural Estate</td>
<td>RR-LAI, Rural Residential</td>
</tr>
<tr>
<td>RR, Rural Residential</td>
<td>RE-2, Rural Estate</td>
<td>RR, Rural Residential</td>
</tr>
<tr>
<td>RR-LAI, Rural Residential I</td>
<td>RE-2, Rural Estate</td>
<td>RR-LAI, Rural Residential I</td>
</tr>
<tr>
<td>RRI, Rural Residential I</td>
<td>RR, Rural Residential</td>
<td>RRI, Rural Residential I</td>
</tr>
<tr>
<td>R1-I, Restricted Residential I</td>
<td>SF-20, Single-Family Residential</td>
<td>R1-I, Restricted Residential I</td>
</tr>
<tr>
<td>R1-II, Restricted Residential II</td>
<td>SF-10, Single-Family Residential</td>
<td>R2, General Residential</td>
</tr>
<tr>
<td>R3-I, Multiple Residential I</td>
<td>MF, Multiple-Family Residential</td>
<td>R3-I, Multiple Residential I</td>
</tr>
<tr>
<td>R3-II, Multiple Residential II</td>
<td>MF, Multiple-Family Residential</td>
<td>R3-II, Multiple Residential II</td>
</tr>
<tr>
<td>R8, Residential Office</td>
<td>MFO, Multiple-Family Residential/Professional Office</td>
<td></td>
</tr>
</tbody>
</table>
NS, Neighborhood Shopping.........................CC, General Commercial
BSI, Business I........................................CC, General Commercial
BSII, Business II.......................................CC, General Commercial
BSIII, Business III.....................................CDB, Central Business District
AI, Air Industrial Park...............................LI, Light Industrial
LI-I, Light Industrial I...............................LI, Light Industrial
LI-II, Light Industrial II.............................LI, Light Industrial
HI, Heavy Industrial.................................HI, Heavy Industrial
ML, Mineral Lands....................................ML, Mineral Lands
UU, Unrestricted Use..................................CU-1, General Use
Chapter 18.06.000
DEFINITIONS

Sections:

18.06.010 Definitions

18.06.010 Definitions

A. Rules of Construction. The language set forth in the text of this Ordinance shall be interpreted in accordance with the following rules of construction:

1. Words used in the present tense shall include the past and future tenses;
2. All references to the singular include the plural as well;
3. The word "shall" is mandatory and not discretionary;
4. The word "may" is permissive;
5. The word "person" shall include a corporation or partnership as well as an individual;
6. The masculine gender shall include the feminine and neuter genders;
7. The word "lot" shall include the words "plot", "parcel", or "tract";
8. The word "building" shall include the word "structure";
9. Any words not defined herein shall be construed according to their generally accepted meanings.

B. Definitions. For the purpose of this Ordinance, the words and terms defined herein shall be defined and interpreted as follows:

1. Abut or abutting. To have a common property line or zoning district line.
2. Access. A means of vehicular or pedestrian approach, entry to, or exit from property.
3. Accessory Use. See "Use, Accessory".
4. Adequate. Sufficient and/or satisfactory in terms of public health and safety requirements.
5. Adjacent. Touching or contiguous.
6. Agri-business. A business directly related to and supportive of an agricultural use as defined herein.
7. Agriculture. The cultivation of the soil, the growing of crops and/or plants, animal and poultry husbandry, dairying, grazing, and accessory uses customarily incidental to agricultural activities.
8. Agriculture, commercial. Conducting the business of agriculture with the intent to sell the products of the enterprise for profit.
9. Airport, heliport, and aircraft landing fields. A tract of land or a structure, and requisite clear zone, used or intended for use for the landing and take-off of private and commercial aircraft, together with all buildings and structures normally associated with such use including, but not limited to, accessory hangars, control towers, and accommodations for passengers and cargo.
10. Alley. A right-of-way designed and intended to provide a secondary means of public access to abutting properties and not intended for general traffic circulation.

11. Alteration. Any change in size and shape of a building or structure.

12. Amusement establishment. A building or structure which may offer a variety of recreational facilities including, but not limited to, pool halls, miniature golf courses, driving ranges, amusement parks, skating rinks, electronic game rooms, and bowling alleys.

13. Animal boarding facility. A building, structure, or out-of-doors area in which animals are kept, whether or not for consideration.

14. Animal hospital or clinic. A building or structure used for the care, observation, and treatment of animals.

15. Appeal. A means for obtaining review of a decision, determination, order, or failure to act pursuant to the terms and provisions of this Ordinance.

16. Auditorium. A building or structure designed or intended for use for the gathering of people as an audience to hear music, lectures, plays, and other presentations.

17. Automobile car wash. A building or portion thereof where automobiles and trucks are washed and/or polished using a conveyer, blower, steam-cleaning equipment, or other mechanical devices of a production line nature, or such equipment of a wholly self-service nature.

18. Automobile and motor vehicle sales. A building or an open area used for the display, sale, or rental of new or used automobiles or other motor vehicles.

19. Automobile service station. A building or portion thereof where gasoline, diesel fuel, and other automobile fuels or oils are offered for sale directly to the public and where minor automobile service and repair such as tune-ups, oil change, winterization, and repairs may be offered. Automobile service stations do not include automobile sales, automobile service and repair, and junkyards as defined herein.

20. Automobile service and repair. A building or portion thereof designed or used for major servicing, repairing, and equipping such as body and fender repair, engine rebuilding, and painting of automobiles, but not including junkyards as defined herein.

21. Bed and breakfast. A dwelling having not more than three (3) rooms used to provide sleeping accommodations on a commercial basis.

22. Bedroom. A room marketed and/or designed to function primarily for sleeping by humans.

23. Boarder. An individual other than a member of the family occupying the dwelling unit or a part thereof who, for a consideration, is furnished sleeping accommodations and may be furnished meals or other services in return for consideration.

24. Building. A structure built for the support, shelter, or enclosure of persons, animals, chattel, or property of any kind. A building shall include such extended structures as arctic entries, balconies, carports, decks, exterior stairways, garages, porches, wannahans, and windows. Where independent units with separate entrances are not joined by a common wall and/or ceiling or floor, each unit shall be considered as a separate building. This definition does not include a fence.

25. Building, accessory. A building which is subordinate to and serves a principal building or use. An accessory building is subordinate in extent and/or purpose to the principal building or use and contributes to the comfort, convenience, and/or necessity of the occupants of the principal building or use being served.
26. Building, conforming. A building or structure which complies with all of the regulations of this Ordinance or any amendment thereto and is designed or intended for a use allowed in the zoning district in which it is located.

27. Building height. The vertical distance of a building measured from the average elevation of the finished grade within five (5) feet of the building to the highest point of the building.

28. Building, nonconforming. A building or structure the size, dimension, or location of which was lawful prior to the adoption, revision, or amendment to this Ordinance, but fails by reason of the adoption, revision, or amendment, to conform to the present requirements of the zoning district in which it is located.

29. Building, principal. A building in which is conducted the principal use of the lot on which it is located.

30. Building, temporary. Any building not designed or intended to be permanently located, placed, or affixed in the place where it is located.

31. Cemetery. A parcel of land, used whole or in part, for four (4) or more interred bodies of deceased persons or animals and for the erection of customary markers, monuments, and mausoleums.

32. Church buildings. Buildings and accessory structures and land uses which are primarily intended for conducting regularly scheduled religious services, and associated accessory uses such as convents, monasteries, rectories, day care, schools, or other religious educational uses. This definition is not intended to include home worship, Bible study, or other similar activities which are permitted as accessory uses of residential dwelling units.

33. Club or lodge. A building, along with accessory structures and facilities, which is designed or primarily intended to accommodate an association of persons and in which the buildings, structures, and facilities are limited and restricted to members and their guests. This definition does not include home meetings or other similar activities.

34. Commercial. A land use or business enterprise engaged in the buying and/or selling of goods and/or services.

35. Comprehensive plan. A composite of the Fairbanks North Star Borough (FNSB) Comprehensive Plan, all accompanying maps, charts, and explanatory material adopted by the FNSB Assembly, and all amendments thereto.

36. Constitution, U.S. Fifth Amendment requires compensation to be paid land owner when denied land use, i.e., eminent domain.

37. Convenience establishment. A commercial enterprise designed and intended to serve daily or frequent shopping or service needs of the immediate surrounding population. Automobile service stations and repair garages are specifically excluded from this definition. Retail sale of gasoline as an accessory use is included in this definition.

38. Court. A space, open and unobstructed to the sky, located at or above grade level on a lot and bounded on three (3) or more sides by walls of a building.

39. Day care facility. A home or institution used and maintained to provide care for seven (7) or more individuals unrelated to the care provider.

40. Dormitory. A building used as group living quarters for students, members or a religious order, or employees, as an accessory use for a college, university, boarding school, orphanage, convent, monastery, other institutional use, or industrial use.
41. Duplex. See "Dwelling, two-family attached."

42. Dwelling. A building or portion thereof designed or used exclusively for residential purposes, but not including hotels, motels, guest rooms, boarding homes, group homes, nursing homes, mobile homes, or trailers.

43. Dwelling, attached. A dwelling unit which is attached to another dwelling unit by a common wall or vertical cavity wall extending from the floor to the ceiling and from exterior wall to exterior wall, or by a horizontal structural floor extending from exterior wall to exterior wall, except for a common stairwell exterior to the dwelling units.

44. Dwelling, detached. A dwelling unit which is entirely surrounded by open space on the same lot and not connected in any manner to another dwelling.

45. Dwelling, multiple-family. One (1) building consisting of three (3) or more dwelling units, each of which is attached to at least one other dwelling unit, by a common wall or vertical cavity wall extending from the ground to the roof and from exterior wall to exterior wall, or by a horizontal structural floor extending from exterior wall to exterior wall, except for a common stairwell exterior to the dwelling unit.

46. Dwelling, single-family detached. A detached dwelling designed for and intended for use by one family.

47. Dwelling, two-family attached. One (1) building consisting of two (2) dwelling units attached by a common wall or vertical cavity wall extending from the floor to the ceiling and from exterior wall to exterior wall, or a horizontal structural floor extending from exterior wall to exterior wall, except for a common stairwell exterior to both dwelling units.

48. Dwelling unit. A room or group of rooms constituting all or part of a dwelling which are arranged, designed, used, or intended for use exclusively as living quarters for one (1) family, including washing, sleeping, cooking, and eating facilities. This definition includes a manufactured home but not a mobile home.

49. Efficiency unit. A dwelling unit containing only one (1) habitable room, sometimes referred to as a studio apartment.

50. Fairgrounds. An open space or exhibition facility where at regular intervals there is entertainment, amusement facilities, educational displays, the barter and sale of goods, and exhibition, often competitive, of farm, household, international and manufactured products.

51. Family. An individual, or two (2) or more persons related to each other by blood, marriage, adoption or other means of legal custody, or a group of not more than four (4) persons not all so related, together with his or their domestic servants, living in a dwelling unit. A family may include, in addition, not more than two (2) boarders, roomers, or permanent guests, whether or not gratuitous.

52. Fence. An artificial barrier of any material or combination of materials erected to enclose or screen areas of land excluding vegetation.

53. Flood hazard area. Those areas contained within the 100-year floodplain which is designated as Flood Zone A on the most current FNSB Flood Insurance Rate Map.

54. Floor area, gross. The horizontal area of a floor or several floors of a building or structure measured from the exterior faces of exterior walls. Where a building or structure is not wholly surrounded by exterior walls, the gross floor area shall be that area between the vertical projection of the roof or floor above.
55. Floor area, net. The horizontal area of a floor or several floors of a building or structure measured from the interior faces of exterior walls, excluding those areas not directly devoted to the principal or accessory use of the building or structure such as storage areas, stairwells, elevator shafts, courts, etc.

56. Garage. A building or structure, or part thereof, used or designed to be used for the parking and storage of vehicles.

57. Garage, repair. Any building or premises which is designed and used for the purposes of performing major automotive mechanical repairs or body work and other customary and incidentally related activities.

58. Grade, finished. The lowest point of elevation of the finished surface of the ground, paving, or sidewalk, within five (5) feet from the building.

59. Grade. The rate of rise or descent of a sloping surface.

60. Grandfather rights. See "Building, nonconforming", "Lot, nonconforming", and "Use, nonconforming".

61. Group home. A residential facility located in a dwelling or other structure intended for human habitation, the principal use of which is to serve as a place for persons seeking, in a family setting, rehabilitation or recovery from any physical, mental, emotional, or legal infirmity, as part of a group rehabilitation and/or recovery program utilizing counseling, self-help, or other treatment or assistance.

62. Guest house. An accessory building, designed as a detached dwelling unit subordinate in size to and located on the same lot as the principal single-family detached dwelling it serves.

63. Hazardous substances. Substances as defined in Section 18.50.120 of this Ordinance.

64. Home occupation. A business, profession, occupation, or trade located entirely within a dwelling unit or a dwelling unit's accessory building, which is accessory, incidental, secondary, and subordinate to the residential use of the dwelling unit and does not change the essential residential character or appearance of such building or neighborhood in which it is located.

65. Hospital and clinic. An institution providing health services and medical or surgical care to persons, primarily inpatients, suffering from illness, disease, injury, deformity, and other abnormal physical or mental conditions, and may include as an integral part of the institution, related facilities such as laboratories, outpatient facilities, or training facilities.

66. Hostel. Generally known as "youth hostel", a place where travelers may stay for a limited duration, as recognized by the International Hostel Association.

67. Hotel. A facility having more than three (3) rooms where transient lodging accommodations are offered to the general public, and where additional services such as restaurants, meeting rooms, and recreational facilities may be provided.

68. Junk. Worn out, dismantled, inoperable, or wrecked aircraft, vehicles or machinery, mobile homes or trailers, appliances or furniture, scrap building materials, metals, rubber, paper, plastic, or other scrap or discarded materials.

6 - 5
69. Junkyard. The use of more than one thousand (1,000) square feet of a lot or parcels under common ownership for a salvaging operation, including but not limited to, the storage or sale of junk; or the collection, dismantlement, storage, or salvage of four (4) or more unlicensed or inoperative vehicles. This definition does not include: 1) those unlicensed or inoperative vehicles that are not dismantled, salvaged, or otherwise in a state of disrepair and which are totally obscured from view from adjacent property at all times of the year; and 2) those unlicensed and operative vehicles which are used in the normal course of business on the property on which they are stored.

70. Kennels, minor. A lot on which no fewer than five (5) and no more than twenty-four (24) dogs or cats, six (6) months of age and older, are maintained out-of-doors or in unheated buildings.

71. Kennels, major. A lot on which more than twenty-four (24) dogs or cats, six (6) months of age and older, are maintained out-of-doors or in unheated buildings.

72. Livestock, commercial. Any quantity of farm animals kept with the intention of selling related goods and/or services.

73. Livestock, domestic. Any quantity of farm animals raised and/or kept for personal use or for occasional competitive use (i.e., 4H, FFA, etc.).

74. Lot. A parcel of land, established by plat, subdivision, or otherwise permitted by law, adequate for occupancy by a use allowed herein, providing yards, buildable area, and off-street parking as required herein.

75. Lot area. The area of a horizontal plane bounded by the vertical planes through front, side, and rear lot lines.

76. Lot, corner. A lot of which at least two (2) adjacent sides abut, for their full length, upon intersecting streets, provided that the interior angle at the intersection of such two (2) adjacent sides is less than one hundred thirty-five (135) degrees.

77. Lot depth. The average horizontal distance between the front lot line and the rear lot line, measured within the lot boundaries. For purposes of this definition, on corner lots the front lot line shall be that front lot line with the shortest dimension.

78. Lot, interior. A lot other than a corner lot.

79. Lot lines. The property lines bounding a lot.

80. Lot line, front. A lot line abutting the right-of-way or easement of a public or private street or road.

81. Lot line, rear. A lot line which is most distant from and is approximately parallel to the front lot line.

82. Lot line, side. A lot line which is not a front lot line or a rear lot line.

83. Lot, nonconforming. A lot, the area, dimensions and/or location of which was lawfully established prior to the adoption, revision, or amendment of this Ordinance, but by reason of such adoption, revision, or amendment fails to conform to the present requirements of the zoning district in which it is located.

84. Lot width. The horizontal distance between the side lot lines of a lot measured within the lot boundary along the line established as the minimum required front yard for the zoning district in which the lot is located.

85. Lot, zoning. A parcel or contiguous parcels of land designated by its owner or developer as a tract to be used, developed, or built upon as a unit under single ownership or control. A "zoning lot" may or may not coincide with a "lot".
86. Manufactured home. A dwelling unit designed for long-term human habitation and having complete living facilities, all parts and systems being fabricated and assembled at a factory into at least two (2) finished, transportable components which are designed to be temporarily attached to a wheeled carriage for transportation to building site and then joined for use on a permanent foundation.

87. Mineral lands. Those lands with known economic mineral values, or which, through geologic inference, are suspected to have economic mineral values which are locatable, leasable, and saleable according to state law.

88. Mini storage. A building or group of buildings that contains varying sizes of individual, compartmentalized, and controlled access stalls or lockers for the storage of a customer's goods or wares.

89. Mining. The taking from the ground, for commercial use or processing of ore, metallic and nonmetallic rock, or other inorganic material, or coal.

90. Mobile home. A dwelling unit built on a chassis, with a body width not less than eight (8) feet and a body length not less than thirty-two (32) feet, designed to be used as a dwelling, with or without a permanent foundation.

91. Mobile home park. Any parcel or parcels, under single ownership or control, with spaces designated for long-term residential use and intended for rent or lease exclusively for the occupancy of three (3) or more mobile homes.

92. Mobile home subdivision. A tract of land, subdivided into lots, designated and developed for long-term residential use and intended for sale where the residences may be comprised of mobile homes.

93. Motel. A facility having more than three (3) rooms where transient lodging accommodations are offered to the general public with at least twenty-five (25) percent of all rooms having direct access to the outside without the necessity of passing through the main lobby of the building. A motel may also provide additional services such as restaurants, meeting rooms, and recreational facilities.

94. Motor and rail freight terminal. A building, structure, or premises where goods are transferred from a truck or train to a storage area or to other trucks or trains, or picked up by other forms of transportation.

95. Multi-family residence. See "Dwelling, multiple-family."

96. Natural resource extraction. Commercial or industrial operations involving removal of timber, native vegetation, peat, muck, topsoil, fill, sand, gravel, or any other operations having similar characteristics.

97. Neighborhood dumpster. A container intended for use by neighborhood residents as a depository and collection point for solid waste generated by households.

98. Occupancy. The purpose for which a building, structure, or parcel of land, or part thereof, is used or intended to be used.

99. Off-street. An area located entirely outside of the dedicated right-of-way of a street or alley.

100. Outside storage. The collection of materials whether a principal or accessory use of a lot, that is open to the air and under the sky. This definition does not include the collection of materials defined as a junkyard.

101. Owner. A person holding title to a parcel or lot in accordance with the records of the Office of the District Recorder.
102. Parking lot. A private, commercial, or public off-street parking facility or area.

103. Permanent foundation for a manufactured home. A foundation under a manufactured home which is necessary for the support of the manufactured home placed upon it.

104. Petro-chemical plant. A building, structure, or premises where the extraction of petro-chemicals from natural gas or crude oil and the processing of those petro-chemicals into commercially marketable products occurs.

105. Playground. An outdoor area set aside for recreation on an individual basis, not for team sports.

106. Playing field. An outdoor recreational area for team sports designed to accommodate two or more teams engaged in athletic competition.

107. Professional office. An enterprise, organization, or place where consulting, record keeping, and the work of a person or persons in the following occupations is done:
   a. Accountants, auditors, tax experts;
   b. Audio recording studios;
   c. Architects, engineers, surveyors;
   d. Consulting services;
   e. Doctors, dentists, psychologists, optometrists, chiropractors;
   f. Geologists, geophysicists;
   g. Insurance offices;
   h. Laboratory technicians and laboratories, excluding outdoor living facilities for animals;
   i. Lawyers;
   j. Messenger, telegraph, telecommunications, answering services;
   k. Photography studios;
   l. Public typists, stenographers, court reporters;
   m. Real estate brokers, appraisors, abstractors;
   n. Stock brokers;
   o. Other professional office uses comparable and similar in operation, appearance, conduct, and occupation as those listed above.

108. Public dumping site. A site, containing one or more neighborhood dumpsters, intended for use by the general public as a depository and collection point for solid waste generated by household.

109. Recreation building or community center. A building or group of buildings offering recreational facilities including, but not limited to, gymnasiums, swimming pools, ice rinks, exercise facilities, meeting rooms, and clubs, as distinguished from private clubs or lodges.

110. Rooming house. A dwelling unit or portion thereof, other than a hotel, motel, or guest room, in which lodging is provided by the owner or operator to five (5) or more boarders for consideration.

111. Sanitary landfill. An area of land used for final disposal of solid waste in a manner approved by the Alaska Department of Environmental Conservation.
112. School buildings. Buildings, except church buildings as defined, used primarily for teaching and instruction on a daily basis as its primary use, including elementary and secondary schools and colleges.

113. Setback. See "Yard, required."

114. Sewer and water system, community. A publicly-regulated sewer and water utility system which provides for sewage disposal and potable water distribution and is operated by the City of Fairbanks, City of North Pole, or College Utilities Corporation.

115. Shooting and archery range. A building or parcel of land used, or intended to be used, for the discharge of pistols, rifles, bows, or other ammunitions for purposes of practice or competition by a group of persons. This definition is not intended to include private sighting ranges used by individuals which are permitted as accessory uses of residential dwelling units.

116. Shopping center. A group of commercial establishments planned, constructed, developed, and managed as a unit with off-street parking provided on site.

117. Sign. Any object, device, display, or structure, or part thereof, situated outdoors or indoors, used to advertise, identify, display, direct, or attract attention to an object, person, institution, organization, business, product, service, event, or location by any means, including words, letters, figures, design, symbols, fixtures, colors, illumination, or projected images.

118. Sign, animated or moving. Any sign or part of a sign which changes physical position by any movement or rotation or which gives the visual impression of such movement or rotation.

119. Sign area. The entire face or display surface of a sign including the advertising surface and any framing, trim or molding, but not including the supporting structure.

120. Sign, directional. Signs limited to directional messages, principally for pedestrian or vehicular traffic, such as "one-way," "entrance," and "exit."

121. Sign, flashing. Any directly or indirectly illuminated sign, other than a sign that displays time and temperature, which exhibits changing natural or artificial light or color effects by any means whatsoever.

122. Sign, identification. Any signs displaying the address or combination of names and address of occupants of premises, and not advertising any business.

123. Sign, illuminated. Any sign illuminated in any way by an artificial light source.

124. Sign, menu. A permanently mounted sign displaying the bill of fare of a drive-in or drive-thru restaurant.

125. Sign, nonconforming. Any sign which was lawfully established prior to the adoption, revision, or amendment to this Ordinance, but which fails, by reason of such adoption, revision, or amendment, to conform to the requirements of the zoning district in which it is located.

126. Sign, political. A temporary sign announcing or supporting political candidates or issues in connection with any national, state, or local election.

127. Sign, portable. A temporary sign that is not permanently affixed to a building, structure, or the ground.

128. Sign, price. A permanently mounted sign displaying the cost of fuel on the premises of an automobile service station or other establishment which dispenses fuel.
129. Sign, real estate. A sign pertaining to the sale, rent, or lease of a premises, or a portion of a premises, on which the sign is located.

130. Sign, roof. A sign that is mounted on the roof of a building and is wholly dependent upon a building for support.

131. Sign, temporary. A sign or advertising display designed or intended to be displayed for a period of time not to exceed two (2) months and which has no flashing or animated parts.

132. Sign, time or temperature. Any sign or elements of a sign which are intended to indicate no more information than the current time, the current temperature, or both.

133. Single-family residence. See "Dwelling, single-family detached."

134. Solid waste processing facility. A facility designed for the processing or treatment of solid waste, other than for just temporary storage, prior to final disposal of the solid waste.

135. Street, road, or highway. A public or private right-of-way which is designated as a permanent right-of-way for common use as the primary means of vehicular access to properties abutting it.

136. Structure. See "Building."

137. Supreme Court, U.S. The decisions on land use and uses, to which the Borough will conform.

138. Travel trailer. Any vehicle or similar portable structure used or intended to be used as transient living or sleeping quarters for humans which may be driven, towed, or propelled from one location to another without change in structure or design, whether or not the same is supported by wheels.

139. Trailer park. A parcel of land used for the parking of two (2) or more travel trailers occupied or intended to be occupied on the parcel.

140. Transfer station. A facility, located within a permanent building, designed to be used as a central solid waste depository and collection point for a sub-region.

141. Use. The purpose for which land and/or a building is arranged, designed, intended, occupied, or maintained.

142. Use, accessory. A use which is clearly and customarily incidental and subordinate to the principal use of a building or premises and which is located on the same zoning lot as the principal use or building.

143. Use, conditional. A use that has unusual operational, physical, or other characteristics that are different from those of the permitted uses in a zoning district, but which is a use that can complement or be made compatible with the intended overall development within a zoning district. A conditional use may locate in a zoning district only if it meets the conditions and limitations as set forth by this Ordinance and other ordinances and if it meets the conditions and limitations as set forth as a result of a required public hearing.

144. Use, conforming. The use of a building or premises which complies with all of the applicable use regulations of the zoning district in which said building or premises is located.

145. Use, nonconforming. A use which was lawfully established prior to the adoption, revision, or amendment of this Ordinance, but which fails, by reason of such adoption, revision, or amendment, to conform to the present requirements of the zoning district in which it is located.

146. Use, permitted. Any use of a building or premises which is or may be lawfully established in a particular zoning district, provided it conforms with all requirements and regulations of this Ordinance for the zoning district in which such use is or proposed to be located.
147. Use, principal. The main, major, and dominant use of a building or premises as distinguished from an accessory use.

148. Use, similar and comparable. Those uses or activities which may exist within the same zoning district, not otherwise prohibited in that zoning district, which are alike in general appearance or nature and do not create a physical or social impact within the zoning district different than other permitted uses.

149. Variance. A departure from the numerical standards of this Ordinance.

150. Wall, common. An interior wall that separates and distinguishes two (2) or more uses located in the same building or structure. A common wall extends from floor to ceiling and from exterior wall to exterior wall and shall not be less than ten (10) feet in length.

151. Wall, exterior. A wall fully exposed to the air and which forms the perimeter of a building or structure. Where a building or structure is not wholly surrounded by exterior walls, then the exterior wall shall be considered as the vertical projection of the roof or floor above. The definition does not include those exterior walls which, because of an offset design, are an extension of a two-family or multiple-family attached dwelling's common wall.

152. Wall, interior. A wall located wholly within a building or structure which separates different rooms and/or uses of said building or structure, as distinguished from an exterior wall.

153. Yard. An open space on the same zoning lot with a principal building or group of buildings, which is unoccupied and unobstructed from its lowest level upward, except as otherwise permitted in this Ordinance, and which extends parallel to a lot line to a depth or width, measured at a right angle from said lot line, specified in the minimum required yard regulations for the zoning district in which the zoning lot is located.

154. Yard, front. A yard which is bounded by both: 1) a zoning lot's side lot lines and the front lot line or the front lot line and the rear lot line if on a corner lot; and 2) a line parallel to the front lot line located at a depth being the minimum allowable distance from any exterior wall of any principal buildings or structures to the front lot line as specified in the minimum required front yard regulations of the zoning district in which the zoning lot is located.

155. Yard, rear. A yard which is bounded by both: 1) a zoning lot's side lot lines and the rear lot line or the front lot line and the side lot line if on a corner lot; and 2) a line parallel to the rear lot line located at a depth being the minimum allowable distance from any exterior wall of any principal buildings or structures to the rear lot line as specified in the minimum required front yard regulations of the zoning district in which the zoning lot is located.

156. Yard, side. A yard which is bounded by a zoning lot's side lot line, the required front yard line, the required rear yard line, and a line parallel to the side lot line located at a width being the minimum allowable distance from any exterior wall of any principal buildings or structures to the side lot line as specified in the minimum required side yard regulations of the zoning district in which the zoning lot is located.

157. Zero lot line home. The location of a dwelling unit on a lot in such a manner that one or more of the dwelling unit's exterior walls lies directly on a lot line without any yard between the exterior wall and the lot line.

158. Zoning district. A portion of the Fairbanks North Star Borough within which certain uniform uses are permitted and within which other uniform restrictions as to size, bulk, and location of buildings and structure are imposed by this Ordinance.
Chapter 18.08.000
ZONING DISTRICT DESIGNATIONS

Sections:

18.08.010 Establishment of Zoning Districts
18.08.020 Official Zoning Map
18.08.030 Boundaries

18.08.010 Establishment of Zoning Districts

In order to fulfill the purposes of this Ordinance, the Fairbanks North Star Borough is divided into the following zoning districts which are listed in order from the highest and most restrictive district to the lowest and least restrictive district:

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<tr>
<th>Code</th>
<th>Description</th>
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<tr>
<td>OR</td>
<td>Outdoor Recreational</td>
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<td>Rural and Agricultural</td>
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<td>RR</td>
<td>Rural Residential</td>
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<td>Two-Family Residential</td>
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<td>Multiple-Family Residential</td>
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<td>MFO</td>
<td>Multiple Family Residential/Professional Office</td>
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<td>Mineral Lands</td>
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<td>CU-1</td>
<td>General Use</td>
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Any references to a sequence of zoning districts mentioned herein shall be in the order as set forth above.

18.08.020 Official Zoning Map

The location and boundaries of the zoning districts established by this Ordinance are set forth on the Official Zoning Map hereby adopted by this reference and declared to be an official record and a part of this Ordinance.

A. Regardless of the existence of purported copies of the Official Zoning Map, which may from time to time be made or published, the Official Zoning Map of the Fairbanks North Star Borough shall be that map located in the office of the Department of Community Planning of the Fairbanks North Star Borough, and which shall be the final authority, as defined by Ordinance, as to the current zoning status of all lands, water areas, buildings, and structures in the Fairbanks North Star Borough.

B. Whenever amendments or changes are made in zoning district boundaries and/or classifications, such amendments or changes shall be promptly made on the Official Zoning Map with reference made to the ordinance number and effective date of said change or amendment.

C. Changes of any kind shall not be made on the Official Zoning Map except in conformance with the procedures set forth in this Ordinance. Any unauthorized change of any kind by any person or party shall be a violation of this Ordinance and punishable as provided herein.

D. In the event that the Official Zoning Map becomes damaged, destroyed, lost, or difficult to interpret because of the nature or number of changes and amendments thereto, the Borough Assembly may adopt a new Official Zoning Map which shall supersede the prior Official Zoning Map. Unless the prior Official Zoning Map is lost or has been totally destroyed, the significant parts of that map remaining after partial destruction shall be preserved together with all records regarding its adoption and/or amendment.
18.08.030 Boundaries

Whenever uncertainty exists with respect to the boundaries of the various zoning districts as shown on the Official Zoning Map and unless otherwise specified, the following rules shall apply:

A. The zoning district boundary lines shall be: the centerline of either a street, alley, or railroad right-of-way; the centerline of an easement; the thread of a stream, slough, or river; or the boundary lines of sections, divisions of sections, tracts, blocks, or lots; or such lines extended as otherwise indicated.

B. Where a zoning district boundary line is indicated as approximately following the centerline of either a street, alley, or railroad right-of-way; the centerline of an easement; the thread of a stream, slough, or river; or the boundary lines of sections, divisions of sections, tracts, blocks, or lots; then said line shall be construed to be the zoning district boundary.

C. Where a zoning district boundary line is indicated as being approximately parallel to the centerline of either a street, alley, or railroad right-of-way; the centerline of an easement; the thread of a stream, slough, or river; or the boundary lines of sections, divisions of sections, tracts, blocks, or lots; then the zoning district boundary line shall be construed as being parallel thereto and at a distance determined by the use of the scale shown on the Official Zoning Map.

D. Where a zoning district boundary line is not indicated as provided herein, and where a zoning district boundary line divides a piece of property that may later be subdivided into new tracts, blocks, and/or lots, the zoning district boundary line shall be construed to include the new tract, block, and/or lot in their entirety if they have more than fifty (50) percent of their land area within that zoning district boundary line.

E. Whenever any street, alley, or railroad right-of-way, or easement is vacated as provided by law, then the zoning district adjoining each side of such street, alley, or railroad right-of-way, or easement shall be automatically extended to the center of such vacation, and the area included in the vacation shall be subject to the regulations of the extended zoning districts.

F. A zoning district boundary line indicated as approximately following the thread of a stream, slough, or river shall automatically move as the stream, slough, or river changes its water course.
Chapter 18.10.000
OR OUTDOOR RECREATIONAL DISTRICT

Sections:
18.10.010 Intent
18.10.020 Use Regulations
18.10.030 Standards

18.10.010 Intent

This district is intended to protect outdoor recreational uses on public lands only unless specifically requested by the property owner.

18.10.020 Use Regulations

A. Permitted Uses. In the OR, Outdoor Recreational district, permitted uses are:

1. Accessory uses;
2. Boat docking facilities;
3. Campgrounds;
4. Convention, exhibition, and civic centers, and auditoriums;
5. Corrals and hitching posts;
6. Domestic livestock;
7. Downhill skiing facilities and related buildings;
8. Golf courses and related buildings;
9. Hockey rinks, outdoor;
10. Nature centers and related buildings;
11. Playfields;
12. Playgrounds;
13. Recreational open space;
14. Shooting and archery ranges;
15. Stadiums, arenas, and fairgrounds;
16. Warming huts
17. Watersports facilities;
18. Zoos and animal parks.

B. Conditional Uses. In the OR, Outdoor Recreational district, conditional uses are:

1. Organized trail facilities and related buildings, as a principal use;
2. Public utility and service uses including, but not limited to: fire stations, transfer stations, neighborhood dumpsters, public dumping sites, electric substations, gas regulator stations, antenna towers and other outdoor equipment essential to the interest of public convenience and necessity, commercial radio and television towers, sewage treatment plants, well and water pumping stations, water filtration plants, water reservoirs, and other similar uses. These uses do not include the installation and maintenance of utility lines which are permitted uses in all zoning districts;

3. Travel trailer parks.

18.10.030 Standards

In the OR, Outdoor Recreational district, geometric standards are:

A. Lot Area. 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.

B. Required Yards for Buildings.
   1. Front yard shall not be less than fifty (50) feet.
   2. Side yard shall not be less than twenty-five (25) feet.
   3. Rear yard shall not be less than twenty-five (25) feet.

C. Building Height. Unlimited.

D. Exceptions to Yard and Building Height Requirements. See Chapter 18.50.000 Supplementary Regulations.

E. Parking. See Chapter 18.50.000 Supplementary Regulations.

F. Signs. See Chapter 18.50.000 Supplementary Regulations.
Chapter 18.14.000
RA-40, RA-20, RA-10, AND RA-5 RURAL AND AGRICULTURAL DISTRICTS

Sections:
18.14.010 Intent
18.14.020 Use Regulations
18.14.030 Standards

18.14.010 Intent

These districts are intended for agricultural uses of land and for very low density residential development. These districts are intended for areas where community sewer and water systems are unavailable.

18.14.020 Use Regulations

A. Permitted Uses. In the RA-40, RA-20, RA-10, and RA-5, Rural and Agricultural districts, permitted uses are:

1. Accessory uses;
2. Agri-business;
3. Agricultural uses;
4. Airports, heliports, and aircraft landing fields, and related buildings essential in the operation of said uses, in the RA-40 and RA-20 districts only;
5. Animal and veterinary hospitals;
6. Animal boarding and breeding facilities;
7. Bed and breakfast;
8. Blacksmith shop;
9. Church buildings;
10. Commercial agriculture;
11. Commercial and/or domestic livestock;
12. Grange hall;
13. Guest house;
14. Home occupations;
15. Kennels, major and minor;
16. Mobile homes;
17. Public utility and service uses including, but not limited to: fire stations, transfer stations, electric substations, gas regulator stations, antenna towers and other outdoor equipment essential to the interest of public convenience and necessity, commercial radio and television towers, sewage treatment plants, well and water pumping stations, water filtration plants, water reservoirs, and other similar uses. These uses do not include the installation and maintenance of utility lines which are permitted uses in all zoning districts;
18. Riding academies and stables;
19. Single-family detached dwellings;
20. Sawmills, non-commercial;
21. Storage of fertilizers, farm supplies, and common livestock husbandry;
22. Two-family attached dwellings.

B. Conditional Uses. In the RA-40, RA-20, RA-10, and RA-5, Rural and Agricultural districts, conditional uses are:

1. Airports, heliports, and aircraft landing fields, and related buildings essential in the operation of said uses, in the RA-10 and RA-5 districts only;
2. Cemeteries;
3. Clubs and lodges;
4. Day care facilities;
5. Dormitories and other dwelling units, including mobile homes, placed on the premises to be used by individuals employed in the agricultural uses of the premises;
6. Group homes;
7. Hostels;
8. Mobile home parks;
9. Neighborhood dumpsters;
10. Public dumping sites;
11. Penal, correctional, and other institutions necessitating restraint of inhabitants;
12. Professional offices;
13. Sanitary land fills;
14. School buildings;
15. Shooting and archery ranges;
16. Sawmills, commercial;
17. Stadiums, arenas, and fairgrounds;
18. Wildlife and animal parks.

18.14.030 Standards

In the RA-40, RA-20, RA-10, and RA-5, Rural and Agricultural districts, geometric standards are:

A. Lot Area

1. In the RA-40 district, lot area shall not be less than forty (40) acres.
2. In the RA-20 district, lot area shall not be less than twenty (20) acres.
3. In the RA-10 district, lot area shall not be less than ten (10) acres.
4. In the RA-5 district, lot area shall not be less than five (5) acres.

B. Required Yards for Buildings.

1. Front yard shall not be less than thirty-five (35) feet.
2. Side yard shall not be less than ten (10) feet.
3. Rear yard shall not be less than ten (10) feet.

C. Building Height. Unlimited.

D. Exceptions to Yard and Building Height Requirements. See Chapter 18.50.000 Supplementary Regulations.

E. Parking. See Chapter 18.50.000 Supplementary Regulations.

F. Signs. See Chapter 18.50.000 Supplementary Regulations.
Chapter 18.16.000
RF-4 AND RF-2 RURAL FARMSTEAD DISTRICTS

Sections:
18.16.010 Intent
18.16.020 Use Regulations
18.16.030 Standards

18.16.010 Intent
These districts are intended for small scale agricultural uses of land. These districts are intended for areas where community sewer and water systems are unavailable.

18.16.020 Use Regulations
A. Permitted Uses. In the RF-4 and RF-2, Rural Farmstead districts, permitted uses are:
   1. Accessory uses;
   2. Agricultural uses;
   3. Animal and veterinary hospitals;
   4. Animal boarding and breeding facilities;
   5. Bed and breakfast;
   6. Church buildings;
   7. Clubs and lodges;
   8. Commercial agriculture;
   9. Commercial and/or domestic livestock;
  10. Guest house;
  11. Home occupations;
  12. Kennels, major and minor;
  13. Mobile homes;
  14. Riding academies and stables;
  15. Single-family detached dwellings;
  16. Two-family attached dwellings.
B. Conditional Uses. In the RF-4 and RF-2, Rural Farmstead districts, conditional uses are:
   1. Agri-business;
   2. Airports, heliports, and aircraft landing fields, and related buildings essential in the operation of such uses;
   3. Cemeteries;
   4. Day care facilities;
   5. Dormitories and other dwelling units, including mobile homes, placed on the premises to be used by individuals employed in the agricultural uses of the premises;
6. Group homes;
7. Hostels;
8. Professional offices;
9. Public utility and service uses including, but not limited to: fire stations, transfer stations, neighborhood dumpsters, public dumping sites, electric substations, gas regulator stations, telephone exchanges, microwave relay towers and stations, antenna towers and other outdoor equipment essential to the interest of public convenience and necessity, commercial radio and television towers, sewage treatment plants, well and water pumping stations, water filtration plants, water reservoirs, and other similar uses. These uses do not include the installation and maintenance of utility lines which are permitted uses in all zoning districts;
10. School buildings.

18.16.030 Standards
In the RF-4 and RF-2, Rural Farmstead districts, geometric standards are:

A. Lot Area.
   1. In the RF-4 district, lot area shall not be less than one hundred sixty thousand (160,000) square feet.
   2. In the RF-2 district, lot area shall not be less than eighty thousand (80,000) square feet.

B. Required Yards for Buildings.
   1. Front yard shall not be less than thirty-five (35) feet.
   2. Side yard shall not be less than ten (10) feet.
   3. Rear yard shall not be less than ten (10) feet.

C. Building Height. Unlimited.

D. Exceptions to Yard and Building Height Requirements. See Chapter 18.50.000 Supplementary Regulations.

E. Parking. See Chapter 18.50.000 Supplementary Regulations.

F. Signs. See Chapter 18.50.000 Supplementary Regulations.
Chapter 18.18.000
RE-4 AND RE-2 RURAL ESTATE DISTRICTS

Sections:
18.18.010 Intent
18.18.020 Use Regulations
18.18.030 Standards

18.18.010 Intent

These districts are intended for low-density residential development and other compatible uses in areas where community sewer and water systems are unavailable.

18.18.020 Use Regulations

A. Permitted Uses. In the RE-4 and RE-2, Rural Estate districts, permitted uses are:
   1. Accessory uses;
   2. Bed and breakfast;
   3. Church buildings;
   4. Domestic livestock;
   5. Guest house;
   6. Home occupations;
   7. Single-family detached dwellings;
   8. Two-family attached dwellings.

B. Conditional Uses. In the RE-4 and RE-2, Rural Estate district, conditional uses are:
   1. Airports, heliports, and aircraft landing fields, and related buildings essential in the operation of such uses;
   2. Animal and veterinary hospitals;
   3. Cemeteries;
   4. Clubs and lodges;
   5. Day care facilities;
   6. Group Homes;
   7. Hostels;
   8. Kennels, minor;
   9. Mobile homes;
   10. Professional offices;
11. Public utility and service uses including, but not limited to: fire stations, transfer stations, neighborhood dumpsters, public dumping sites, electric substations, gas regulator stations, telephone exchanges, microwave relay towers and stations, antenna towers and other outdoor equipment essential to the interest of public convenience and necessity, commercial radio and television towers, sewage treatment plants, well and water pumping stations, water filtration plants, water reservoirs, and other similar uses. These uses do not include the installation and maintenance of utility lines which are permitted uses in all zoning districts;


18.18.030 Standards

In the RE-4 and RE-2, Rural Estate districts, geometric standards are:

A. Lot Area.
   1. In the RE-4 district, lot area shall not be less than one hundred sixty thousand (160,000) square feet.
   2. In the RE-2 district, lot area shall not be less than eighty thousand (80,000) square feet.

B. Required Yards for Buildings.
   1. Front yard shall not be less than thirty-five (35) feet.
   2. Side yard shall not be less than twenty-five (25) feet.
   3. Rear yard shall not be less than twenty-five (25) feet.

C. Building Height. Unlimited.

D. Exceptions to Yard and Building Height Requirements. See Chapter 18.50.000 Supplementary Regulations.

E. Parking. See Chapter 18.50.000 Supplementary Regulations.

F. Signs. See Chapter 18.50.000 Supplementary Regulations.
Chapter 18.20.000
RR RURAL RESIDENTIAL DISTRICT

Sections:
18.20.010 Intent
18.20.020 Use Regulations
18.20.030 Standards

18.20.010 Intent

This district is intended for low-density residential development and other compatible uses in areas where community sewer and water systems may or may not be available.

18.20.020 Use Regulations

A. Permitted Uses. In the RR, Rural Residential district, permitted uses are:
   1. Accessory uses;
   2. Animals, where there are less than twenty-five (25) non-hooved animals each weighing less than fifty (50) pounds.
   3. Church Buildings;
   4. Domestic livestock on lots of not less than eighty thousand (80,000) square feet in area;
   5. Home occupations;
   6. Single-family detached dwellings;
   7. Two-family attached dwellings;

B. Conditional Uses. In the RR, Rural Residential district, conditional uses are:
   1. Airports, heliports, and aircraft landing fields, and related buildings essential in the operation of such uses;
   2. Animal and veterinary hospitals;
   3. Bed and breakfast;
   4. Cemeteries;
   5. Day care facilities;
   6. Domestic livestock;
   7. Guest house; one per lot, and only on a lot with an existing single-family detached dwelling or, where permitted, an existing mobile home;
   8. Group homes;
   9. Kennels, minor, on lots of not less than eighty thousand (80,000) square feet in area;
   10. Mobile homes;
   11. Professional offices;
12. Public utility and service uses including, but not limited to: fire stations, transfer stations, neighborhood dumpsters, public dumping sites, electric substations, gas regulator stations, telephone exchanges, microwave relay towers and stations, antenna towers and other outdoor equipment essential to the interest of public convenience and necessity, commercial radio and television towers, sewage treatment plants, well and water pumping stations, water filtration plants, water reservoirs, and other similar uses. These uses do not include the installation and maintenance of utility lines which are permitted uses in all zoning districts;


18.20.030 Standards

In the RR, Rural Residential district, geometric standards are:

A. Lot Area. Lot area shall not be less than forty thousand (40,000) square feet.

B. Required Yards for Buildings.
   1. Front yard shall not be less than twenty-five (25) feet.
   2. Side yard shall not be less than twenty-five (25) feet.
   3. Rear yard shall not be less than twenty-five (25) feet.

C. Building Height. Unlimited.

D. Exceptions to Yard and Building Height Requirements. See Chapter 18.50.000 Supplementary Regulations.

E. Parking. See Chapter 18.50.000 Supplementary Regulations.

F. Signs. See Chapter 18.50.000 Supplementary Regulations.
Chapter 18.22.000
SF-20, SF-10, AND SF-5 SINGLE-FAMILY RESIDENTIAL DISTRICTS

Sections:
18.22.010 Intent
18.22.020 Use Regulations
18.22.030 Standards

18.22.010 Intent

These districts are intended for low and medium density residential development and other uses which maintain the low and medium density residential nature of the district. These districts are intended for areas where community sewer and water systems are available.

18.22.020 Use Regulations

A. Permitted Uses. In the SF-20, SF-10, and SF-5, Single-Family Residential districts, permitted uses are:

1. Accessory uses;
2. Church buildings;
3. Home occupations;
4. Playground;
5. Single-family detached dwellings.

B. Conditional Uses. In the SF-20, SF-10, and SF-5, Single-Family Residential districts, conditional uses are:

1. Day care facility;
2. Parking lots, as a principal use;
3. Privately owned and operated neighborhood recreation centers oriented towards a particular residential subdivision or complex;
4. Public utility and service uses including, but not limited to: fire stations, transfer stations, neighborhood dumpsters, public dumping sites, electric substations, gas regulator stations, telephone exchanges, microwave relay towers and stations, antenna towers and other outdoor equipment essential to the interest of public convenience and necessity, commercial radio and television towers, sewage treatment plants, well and water pumping stations, water filtration plants, water reservoirs, and other similar uses. These uses do not include the installation and maintenance of utility lines which are permitted uses in all zoning districts;
5. School buildings.

18.22.030 Standards

In the SF-20, SF-10, and SF-5, Single-Family Residential districts, geometric standards are:

A. Lot Area,

1. In the SF-20 district, lot area shall not be less than twenty thousand (20,000) square feet.
2. In the SF-10 district, lot area shall not be less than ten thousand (10,000) square feet.

3. In the SF-5 district, lot area shall not be less than five thousand (5,000) square feet.

B. Required Yards for Principal Buildings.

1. Front yard shall not be less than twenty (20) feet.

2. Side yard shall not be less than five (5) feet.

3. Rear yard shall not be less than ten (10) feet.

C. Building height. Unlimited.

D. Exceptions to Yard and Building Height Requirements. See Chapter 18.50.000 Supplementary Regulations.

E. Parking. See Chapter 18.50.000 Supplementary Regulations.

F. Signs. See Chapter 18.50.000 Supplementary Regulations.
Chapter 18.24,000
TF TWO-FAMILY RESIDENTIAL DISTRICT

Sections:
18.24.010 Intent
18.24.020 Use Regulations
18.24.030 Standards

18.24.010 Intent
This district is intended for medium-density residential development and other uses which maintain the medium-density residential nature of the district in areas where community sewer and water systems are available.

18.24.020 Use Regulations
A. Permitted Uses. In the TF, Two-Family Residential district, permitted uses are:
   1. Any permitted use in the SF-20, SF-10 and SF-5 districts;
   2. Two-family attached dwellings.

B. Conditional Uses. In the TF, Two-Family Residential district, conditional uses are:
   1. Any conditional use in the SF-20, SF-10 and SF-5 districts;

18.24.030 Standards
In the TF, Two-Family Residential district, geometric standards are:
A. Lot Area.
   1. Lot area for a single-family detached dwelling shall not be less than five thousand (5,000) square feet.
   2. Lot area for a two-family attached dwelling shall not be less than three thousand five hundred (3,500) square feet per dwelling unit.

B. Required Yards for Principal Buildings,
   1. Front yard shall not be less than twenty (20) feet.
   2. Side yard shall not be less than five (5) feet.
   3. Rear yard shall not be less than five (5) feet.

C. Building Height. Unlimited.

D. Exceptions to Yard and Building Height Requirements. See Chapter 18.50,000 Supplementary Regulations.

E. Parking. See Chapter 18.50,000 Supplementary Regulations.

F. Signs. See Chapter 18.50,000 Supplementary Regulations.
Chapter 18.26.000
MF MULTIPLE-FAMILY RESIDENTIAL DISTRICT

Sections:
18.26.010 Intent
18.26.020 Use Regulations
18.26.030 Standards

18.26.010 Intent

This district is intended for high-density residential development provided through a variety of housing types and other types of quasi-residential and public use development maintain the high-density residential nature of the district. This district is intended for areas where community sewer and water systems are available.

18.26.020 Use Regulations

A. Permitted Uses. In the MF, Multiple-Family Residential district, permitted uses are:
   1. Any permitted use in the SF-20, SF-10, SF-5, and TF districts;
   2. Multiple-family dwellings.

B. Conditional Uses. In the MF, Multiple-Family Residential district, conditional uses are:
   1. Any conditional use in the SF-20, SF-10, SF-5, and TF districts;
   2. Group homes;
   3. Libraries;
   4. Mobile home parks;
   5. Museums and art galleries;
   6. Nursing homes, convalescent homes, retirement centers, and similar institutions;
   7. Public recreation buildings and community centers;
   8. Rooming house;
   9. Schools, art, music, dance, business, trade, and other similar educational uses.

18.26.030 Standards

In the MF, Multiple-Family Residential district, geometric standards are:

A. Lot Area.
   1. Lot area for a single-family detached dwelling or other allowable uses not listed below shall not be less than five thousand (5,000) square feet.
   2. Lot area for a two-family attached dwelling shall not be less than three thousand five hundred (3,500) square feet per dwelling unit.
   3. Lot area for a multiple-family dwelling shall not be less than two thousand (2,000) square feet per dwelling unit.
B. Required Yards for Principal Buildings.
   1. Front yard shall not be less than twenty (20) feet.
   2. Side yard shall not be less than ten (10) feet.
   3. Rear yard shall not be less than ten (10) feet.
C. Building Height. Unlimited.
D. Exceptions to Yard and Building Height Requirements. See Chapter 18.50.000 Supplementary Regulations.
E. Parking. See Chapter 18.50.000 Supplementary Regulations.
F. Signs. See Chapter 18.50.000 Supplementary Regulations.
Chapter 18.28.000
MFO MULTIPLE-FAMILY RESIDENTIAL/PROFESSIONAL OFFICE DISTRICT

Sections:
18.28.010 Intent
18.28.020 Use Regulations
18.28.030 Standards

18.28.010 Intent
This district is intended for a combination of very high-density residential, quasi-residential, and non-residential development maintains the high-density residential and non-residential nature of this district. This district is intended for areas where community sewer and water systems are available.

18.28.020 Use Regulations
A. Permitted Uses. In the MFO, Multiple-Family Residential/Professional Office district, permitted uses are:
   1. Any permitted use in the SF-20, SF-10, SF-5, TF, and MF districts;
   2. Bed and breakfast;
   3. Church buildings;
   4. Day care facilities;
   5. Funeral homes;
   6. Group Homes;
   7. Libraries;
   8. Museums and art galleries;
   9. Nursing homes, convalescent homes, retirement centers, and other similar institutions;
   10. Professional offices;
   11. Privately owned and operated neighborhood recreation centers oriented towards a particular residential subdivision or complex;
   12. Public recreation buildings and community centers;
   13. Rooming house;
   14. Schools, art, music, dance, business, trade, and other similar education uses;
   15. School buildings;
B. Conditional Uses. In the MFO, Multiple-Family Residential/Professional Office district, conditional uses are:
   1. Animal hospitals and veterinary clinics;
   2. Business, public, and governmental offices;
   3. Hospitals, medical centers, and research centers;
   4. Parking lots, as a principal use;
5. Public utility and service uses including, but not limited to: fire stations, transfer stations, neighborhood dumpsters, public dumping sites, electric substations, gas regulator stations, telephone exchanges, microwave relay towers and stations, antenna towers and other outdoor equipment essential to the interest of public convenience and necessity, commercial radio and television towers, sewage treatment plants, well and water pumping stations, water filtration plants, water reservoirs, and other similar uses. These uses do not include the installation and maintenance of public utility lines which are permitted uses in all zoning districts.

18.28.030 Standards

In the MFO, Multiple-Family Residential/Professional Office district, geometric standards are:

A. Lot Area.

1. Lot area for a single-family detached dwelling or other allowable uses not listed below shall not be less than five thousand (5,000) square feet.

2. Lot area for a two-family attached dwelling shall not be less than three thousand five hundred (3,500) square feet per dwelling unit.

3. Lot area for a multiple-family dwelling shall not be less than one thousand five hundred (1,500) square feet per dwelling unit.

B. Required Yards for Principal Buildings.

1. Front yard shall not be less than twenty (20) feet.

2. Side yard shall not be less than ten (10) feet.

3. Rear yard shall not be less than twenty (20) feet.

C. Building Height. Unlimited.

D. Exceptions to Yard and Building Height Requirements. See Chapter 18.50.000 Supplementary Regulations.

E. Parking. See Chapter 18.50.000 Supplementary Regulations.

F. Signs. See Chapter 18.50.000 Supplementary Regulations.
Chapter 18.32.000
LC LIGHT COMMERCIAL DISTRICT

Sections:
18.32.010 Intent
18.32.020 Use Regulations
18.32.030 Standards

18.32.010 Intent
This district is intended to provide for limited retail and personal service uses for the consumer population of the immediate neighborhoods in which such uses are located. This district is not intended for those types of uses that will either attract the consumer population of large segments of the community, attract large volumes of traffic.

18.32.020 Use Regulations
A. Permitted Uses. In the LC, Light Commercial district, permitted uses are:
   1. Any permitted use in the SF-20, SF-10, SF-5, TF, WF, and the MFO districts;
   2. Barber shops;
   3. Beauty shops;
   4. Drive-in banks and automatic tellers;
   5. Drug stores, not exceeding five thousand (5,000) square feet in gross floor area;
   6. Food stores, grocery stores, convenience establishments, meat markets, bakeries, and delicatessens, not exceeding five thousand (5,000) square feet in gross floor area;
   7. Florists, greenhouses, and nurseries;
   8. Laundrettes and dry cleaning establishments;
   9. Livestock feed and supply and other agricultural supply stores;
   10. News dealers and newsstands;
B. Conditional Uses. In the LC, Light Commercial district, conditional uses are:
   1. Amusement establishments;
   2. Animal hospitals and veterinary clinics;
   3. Automobile service stations;
   4. Business, public, and governmental offices;
   5. Group Homes;
   6. Hospitals and medical centers and heliports as an accessory use; and research centers;
   7. Parking lots, as a principal use;
8. Public utility and service uses including, but not limited to: Fire stations, transfer stations, neighborhood dumpsters, public dumping sites, electric substations, gas regulator stations, telephone exchanges, microwave relay towers and stations, antenna towers and other outdoor equipment essential to the interest of public convenience and necessity, commercial radio and television towers, sewage treatment plants, well and water pumping stations, water filtration plants, water reservoirs, and other similar uses. These uses do not include the installation and maintenance of public utility lines which are permitted uses in all zoning districts.

9. Video stores

18.32.030 Standards

In the LC, Light Commercial district, geometric standards are:

A. Lot Area. 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.

B. Required Yards for Buildings.
   1. Front yard shall not be less than twenty (20) feet.
   2. Side and rear yards shall not be required.

C. Building Height. Unlimited.

D. Exceptions to Yard and Building Height Requirements. See Chapter 18.50.000 Supplementary Regulations.

E. Parking. See Chapter 18.50.000 Supplementary Regulations.

E. Signs. See Chapter 18.50.000 Supplementary Regulations.
Chapter 18.34.000
GC GENERAL COMMERCIAL DISTRICT

Sections:
18.34.010 Intent
18.34.020 Use Regulations
18.34.030 Standards

18.34.010 Intent
The GC district is intended to provide for a wide variety of retail, office, wholesale, personal service and other general service uses for the consumer population of large segments of the community. Because of the potential for heavy traffic and the appearance and performance of these uses, this district is located on the periphery of residential areas and at the intersections of arterial and major collector streets and roads.

18.34.020 Use Regulations
A. Permitted Uses. In the GC, General Commercial district, permitted uses are:
   1. Any permitted use in the LC district;
   2. Aircraft and marine parts and equipment stores;
   3. Aircraft and marine sales and service;
   4. Amusement establishments;
   5. Animal boarding facilities;
   6. Animal hospitals and veterinary clinics;
   7. Antique shops;
   8. Athletic clubs;
   9. Automobile accessory stores;
  10. Automobile and other motor vehicle sales;
  11. Automobile car washes, self-service and automatic;
  12. Automobile service and repair;
  13. Automobile service stations;
  14. Automobile, truck, and trailer rental agencies;
  15. Bank and other financial institutions;
  16. Banquet halls;
  17. Bicycle stores; sales, rental and repair;
  18. Bingo parlors and gambling halls;
  19. Blueprinting and photo-copying establishments;
  20. Book, stationery, and school supply stores;
  21. Business, public, and governmental offices;
22. Camera stores, sales and repair;
23. Candy and ice cream stores;
24. Catalog stores;
25. Catering establishments and other food vending services;
26. Clothing stores;
27. Clubs and lodges; private, fraternal, and religious;
28. Convention, exhibition and civic centers, and auditoriums;
29. Department stores;
30. Drive-in restaurants;
31. Drug stores greater than five thousand (5,000) square feet in gross floor area;
32. Electrical and household appliance stores, sales and repair;
33. Employment agencies;
34. Farm equipment sales and service;
35. Food stores, grocery stores, meat markets, bakeries, delicatessens, greater than five thousand (5,000) square feet in gross floor area;
36. Furniture stores, storage and repair;
37. Furriers, sales, storage and repair;
38. Garden supply and seed stores;
39. Gift and souvenir stores and novelty shops;
40. Hardware stores;
41. Health centers;
42. Hobby shops;
43. Hospitals and medical centers and heliports as an accessory use; and research centers;
44. Hotels and motels;
45. Interior decorating stores;
46. Jewelry stores;
47. Libraries;
48. Liquor stores;
49. Locksmiths;
50. Mobile home and travel trailer sales;
51. Musical instrument stores, sales and repair;
52. Mobile home or permanent home to be used as a dwelling unit by the owner of a business or by a watchman, caretaker, manager and family when located on the premises where they are employed in such capacity;
53. Newspaper offices;
54. Office supply stores;
55. Outside storage and warehouses incidental and subordinate to the principal use of the property;

56. Parcel delivery and mail order services;

57. Paint, glass, and wallpaper stores;

58. Parking garages;

59. Parking lots, as a principal use;

60. Pawn shops;

61. Pet stores and animal grooming shops;

62. Photography supply, developing and processing stores;

63. Plumbing and heating service and equipment stores;

64. Post offices;

65. Printing and publishing establishments;

66. Public utility and service uses including, but not limited to: fire stations, transfer stations, neighborhood dumpsters, public dumping sites, electric substations, gas regulator stations, antenna towers and other outdoor equipment essential to the interest of public convenience and necessity, commercial radio and television towers, sewage treatment plants, well and water pumping stations, water filtration plants, water reservoirs and other similar uses. These uses do not include the installation and maintenance of public utility lines which are permitted uses in all zoning districts;

67. Radio and television broadcasting studios;

68. Record stores;

71. Rental services

72. Restaurants, lounges, liquor establishments, cafes, and tea rooms;

73. Self-storage establishments;

74. Shoe stores, sales and repair;

75. Sporting goods stores;

76. Stadiums, arenas, and fairgrounds;

77. Suntan parlors;

78. Taxicab stands and dispatching offices;

79. Taxidermists;

80. Theaters and movie houses;

81. Tobacco shops;

82. Toy stores;

83. Upholstery stores;

84. Variety and discount stores;

85. Welding, incidental and subordinate to the principal use of the property;

86. Wholesaling and distribution operations, including incidental assembly or processing of goods for sale on the premises but excluding any associated truck or rail freight terminals.
B. Conditional Uses. In the GC, General Commercial district, conditional uses are:

1. Airports, heliports, aircraft landing fields and associated buildings essential in the operation of these uses.
2. Building contractor's office and material storage;
3. Building material sales and storage, retail, as a principal use;
4. Bus and train stations and terminals;
5. Lumberyards;
6. Outside storage, as a principal use;
7. Penal, correctional, and other institutions necessitating restraint of patients;
8. Shooting and archery ranges;
9. Travel trailer parks and campgrounds;
10. Warehouses;
11. Watersports facility;
12. Welding, as a principal use;
13. Wholesaling and distribution operations including any associated truck and rail freight terminals;
14. Zoos and animal parks.

18.34.030 Standards

In the GC, General Commercial district, geometric standards are:

A. Lot Area. 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.

B. Required Yards for Buildings.
1. Front yard shall not be less than twenty (20) feet.
2. Side and rear yards shall not be required.

C. Building Height. Unlimited.

D. Exceptions to Yard and Building Height Requirements. See Chapter 18.50.000 Supplementary Regulations.

E. Parking. See Chapter 18.50.000 Supplementary Regulations.

F. Signs. See Chapter 18.50.000 Supplementary Regulations.
Chapter 18.36.000
CED CENTRAL BUSINESS DISTRICT

Sections:
18.36.010 Intent
18.36.020 Use Regulations
18.36.030 Standards

18.36.010 Intent
This district is intended to provide for retail, office, wholesale, personal service, and other general service uses for the consumer population of the entire community in a centrally located and contained high-density setting.

18.36.020 Use Regulations
A. Permitted Uses. In the CED, Central Business district, permitted uses are:
   1. Any permitted use in the CC district except residential uses on the ground floor, and establishments with a drive-in/drive-thru facility.

B. Conditional Uses. In the CED, Central Business district, conditional uses are:
   1. Any conditional use in the CC district.
   2. Any establishment with a drive-in/drive-thru facility.

18.36.030 Standards
In the CED, Central Business district, geometric standards are:
A. Lot Area. There shall be no minimum lot area.
B. Required Yards for all Buildings.
   1. Front yard shall not be required.
   2. Side yard shall not be required.
   3. Rear yard shall not be required.
C. Building Height. Unlimited.
D. Parking. See Chapter 18.50.000 Supplementary Regulations.
E. Signs. See Chapter 18.50.000 Supplementary Regulations.
Chapter 18.38.000
LI LIGHT INDUSTRIAL DISTRICT

Sections:

18.38.010 Intent
18.38.020 Use Regulations
18.38.030 Standards

18.38.010 Intent

This district is intended to provide for light manufacturing, fabricating, assembly, disassembly, processing and treatment activities in an urban or suburban environment. This district’s uses are intended to be conducted in a manner not detrimental to the rest of the community by reason of the emission or creation of noise, vibration, smoke, dust, or other other particulate matter, toxic or noxious materials, odors, fire, or explosive hazards, or glare or heat.

18.38.020 Use Regulations

A. Permitted Uses. In the LI, Light Industrial district, permitted uses are:

1. Any permitted use in the LC, CC, and CBD districts except residential dwelling units not otherwise permitted in this district and school buildings;

2. Any use whose primary purpose is concerned with the light manufacturing, fabricating, assembly, disassembly, processing, or treatment of goods and products, including but not limited to:
   a. appliances
   b. books
   c. clothing and textiles
   d. drugs
   e. electrical components
   f. glass and ceramics
   g. plastic and fiberglass products
   h. plaster and wallboard products
   i. sheetmetal
   j. stoneware and earthenware
   k. textiles
   l. tools
   m. toys
   n. wood assembly and finishing

3. Building contractor’s office and material storage;
4. Building material sales and storage, retail, as a principal use;
5. Bus and train stations and terminals;
6. Cleaning, laundry, or dyeing plants;

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7. Frozen food lockers;
8. Lumberyards;
9. Machinery sales, service and storage;
   a) diesel tractor and trailer
   b) oil and water well drilling equipment
10. Machine shops;
11. Mobile home or permanent home to be used as a dwelling unit by the
    owner or by a watchmen, caretaker, manager, and family when located on
    the premises where they are employed in such capacity;
12. Motor and rail freight terminals;
13. Outside storage as a principal use;
14. Sign shops;
15. Shooting and archery ranges;
16. Travel trailer parks and campgrounds;
17. Warehouses;
18. Welding;
19. Wholesale and distribution operations;
20. Zoos and animal parks.

B. Conditional Uses. In the LI, Light Industrial district, conditional uses
are:
1. Airports, heliports, aircraft landing fields and associated buildings
   essential in the operation of these uses;
2. Dormitories and other dwelling units, including mobile homes, placed
   on the premises to be used by individuals employed in the industrial
   use of the premises;
3. Junkyards;
4. Natural resource extraction on tracts of land not less than five (5)
   acres in size, including equipment and buildings or structures for
   screening, crushing, mixing, washing, storage or office purposes;
5. Penal, correctional and other institutions necessitating restraint of
   inhabitants;
6. Power generation plants;
7. Railroad yard or roundhouse;
8. Recycling centers;
9. Sanitary landfills;
10. Saw mills;
11. Shipping and receiving terminals.
18.38.030 Standards

In the LI, Light Industrial district, geometric standards are:

A. Lot Area. 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.

B. Required Yards for Buildings.
   1. Front yard shall not be less than twenty (20) feet.
   2. Side and rear yards shall not be required.

C. Building Height. Unlimited.

D. Exceptions to Yard and Building Height Requirements. See Chapter 18.50.000 Supplementary Regulations.

E. Parking. See Chapter 18.50.000 Supplementary Regulations.

F. Signs. See Chapter 18.50.000 Supplementary Regulations.
Chapter 18.40.000
HI  HEAVY INDUSTRIAL DISTRICT

Sections:
18.40.010 Intent
18.40.020 Use Regulations
18.40.030 Standards

18.40.010 Intent

This district is intended to provide for heavy manufacturing, fabricating, assembly, disassembly, processing, and treatment activities.

18.40.020 Use Regulations

A. Permitted Uses. In the HI, Heavy Industrial district, permitted uses are:

1. Any use permitted in the LI district;
2. Any use whose primary purpose is concerned with the heavy manufacturing, fabricating, assembly, disassembly, processing, or treatment of goods and services, including but not limited to:
   a. acid
   b. airplanes
   c. boats
   d. cement, lime, gypsum, and plaster of paris
   e. chemicals
   f. creosote
   g. explosives
   h. gas
   i. glue
   j. ink
   k. motor vehicles
   l. paint, oil, shellac, varnish, and turpentine
   m. paper products and pulp manufacture
   n. poison
   o. rubber products
3. Beverage manufacture, including breweries;
4. Distillation of wood, coal, or bones;
5. Food and grain processing, canning and storage, including meat, fish, and poultry;
6. Foundries, iron works, and steel fabrication;
7. Junkyards;
8. Metal reduction furnace for aluminum, gold, silver, platinum, copper, tin, or zinc;
9. Natural resource extraction on tracts of land not less than five (5) acres in size, including equipment and buildings or structures for screening, crushing, mixing, washing, storage, or office purposes;

10. Power generation plants;

11. Railroad yard or roundhouse;

12. Recycling centers;

13. Rendering plants;

14. Sanitary landfills;

15. Saw mills;

16. Shipping and receiving terminals;

17. Slaughter houses;

18. Tannery.

B. Conditional Uses. In the HI, Heavy Industrial district, conditional uses are:

1. Airports, heliports, aircraft landing fields, and associated buildings essential in the operation of these uses;

2. Bulk fuel distribution and storage not incidental to the uses listed in sections A and B;

3. Dormitories and other dwelling units, including mobile homes, placed on the premises to be used by individuals employed in the industrial use of the premises;

4. Penal, correctional, and other institutions necessitating restraint of inhabitants;

5. Petro-chemical plant;

6. Petroleum refining or storage.

5. Storage of hazardous substances as the principal use of the property or which are unrelated to those uses that are either permitted outright or conditionally in this zoning district.

18.40.030 Standards

In the HI, Heavy Industrial district, geometric standards are:

A. Lot Area. 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.

B. Required Yards for Buildings.

1. Front yard shall be not less than ten (10) feet.

2. Side and rear yards shall not be required.

C. Building Height. Unlimited.

D. Exceptions to Yard and Building Height Requirements. See Chapter 18.50.000 Supplementary Regulations.

E. Parking. See Chapter 18.50.000 Supplementary Regulations.

F. Signs. See Chapter 18.50.000 Supplementary Regulations.
Chapter 18.42.000
ML. MINERAL LANDS DISTRICT

Sections:
18.42.010 Intent
18.42.020 Use Regulations
18.42.030 Standards

18.42.010 Intent

This district is intended to protect mineralized areas from the intrusions of incompatible land uses, to allow active exploration for and development of mineral resources, and to allow development necessary to carry out the recovery of mineral resources. This district is further intended to limit structural development of non-mineral related uses that would conflict with future mineral development. This district is intended to compliment, and not be in lieu of, any applicable Federal and State laws.

18.42.020 Use Regulations

A. Permitted Uses. In the ML, Mineral Lands district, permitted uses are:

1. All on-site uses directly related to mineral exploration, extraction, and processing, such as, but not limited to: drilling, dredging, prospecting, mining, transporting materials, ore crushing, smelting, housing for owners, managers, and workers, parking lots, storage and repair of equipment, and similar compatible uses;

2. All secondary or accessory uses in support of mining activities.

B. Conditional Uses. In the ML, Mineral Lands district, conditional uses are:

1. Livestock grazing;

2. Outdoor Recreation uses shall be considered similar and compatible uses as long as they do not conflict with current or future mining activities through use or improvement;


18.42.030 Standards

In the ML, Mineral Lands district, geometric standards are:

A. Lot Area. There shall be no minimum lot area except as may be required by any applicable State laws.

B. Required Yards for all Buildings and Extraction Activities. Front, side, and rear yards shall not be required.

C. Building Height. No limitation.

D. Exceptions to Yard and Building Height Requirements. See Chapter 18.50.000 Supplementary Regulations.

E. Parking. See Chapter 18.50.000 Supplementary Regulations.

F. Signs. See Chapter 18.50.000 Supplementary Regulations.
Chapter 18.44.000
QU-1 GENERAL USE DISTRICT

Sections:
18.44.010 Intent
18.44.020 Use Regulations
18.44.030 Standards

18.44.010 Intent
This district is intended to be located in rural areas where community sewer and water systems are unavailable.

18.44.020 Use Regulations
A. Permitted Uses. In the QU-1 General Use district, permitted uses are:
   1. Any use.
B. Conditional Uses. In the QU-1 General Use district, conditional uses are:
   1. Petro-chemical plant;
   2. Petroleum refinery and storage.
   3. Storage of hazardous substances as the principal use of the property or which are unrelated to those uses that are either permitted outright or conditionally in this zoning district.

18.44.030 Standards
In the QU-1 General Use district, geometric standards are:
A. Lot Area.
   1. In the QU-1 district, lot area shall not be less than forty thousand (40,000) square feet.
B. Required Yards for all Buildings. Front, side, and rear yards shall not be required.
C. Building Height. Unlimited.
D. 100-percent lot coverage.
Chapter 18.48.000
OVERLAY DESIGNATIONS

Sections:
18.48.010 Purpose
18.48.020 Procedures
18.48.030 DC - Downtown Core Designation
18.48.040 HS - Historically Significant Designation
18.48.050 MHS - Mobile Home Subdivision Designation

18.48.010 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.

18.48.020 Procedures

A request for or an amendment to an overlay designation shall be initiated in accordance with the procedures applicable to requests for conditional uses, as specified hereinafter. An application by an individual shall be accompanied by a petition favoring the proposed overlay designation signed by the owner or owners of at least fifty-one (51) percent of the property within the area proposed for the overlay designation. If any individual property owner owns more than twenty-five (25) percent of the land area proposed for the overlay designation, then the request for the overlay designation shall contain that property owner's signature.

18.48.030 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 Ordinance.

B. Regulations and Standards. Any new construction or any change in the use of, or an 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 Ordinance.

18.48.040 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.

18.48.050 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 multi-lot mobile home subdivision can be established and is not intended to be applied on an individual lot by lot basis.
Chapter 18.50.000
SUPPLEMENTARY REGULATIONS

Sections:

18.50.010 Purpose
18.50.020 Buildings per Lot
18.50.030 Accessory Buildings in Residential Districts
18.50.040 Exceptions to Required Yards
18.50.050 Exceptions to Building Height Requirements
18.50.060 Off-Street Parking and Loading Requirements
18.50.070 Signs
18.50.080 Home Occupations
18.50.090 Fences
18.50.100 Street Intersection Visibility
18.50.110 Standards for Travel Trailer Parks and Campgrounds
18.50.120 Standards for Storage of Hazardous Substances
18.50.130 Standards for Junkyards
18.50.140 Lighting
18.50.150 Standards for Public Utility and Service Uses

18.50.010 Purpose

The purpose of this chapter is to establish general building and performance standards.

18.50.020 Buildings per Lot

A. In the Rural and Agricultural through the TF, Two-Family Residential districts, both inclusive, not more than one (1) principal building may be located on one (1) lot. In all other districts, more than one (1) principal building may be located on one (1) lot provided the requirements of this Ordinance are met and where, in the MFP, 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 ten (10) feet.

B. Within all districts, when two (2) or more contiguous lots 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.

18.50.030 Accessory Building in Residential Districts

In all districts, an accessory building shall meet the front yard requirement of the zoning district in which it is located.

In the SF-20, Single-Family Residential through the MFO, Multiple-Family Residential/Professional Office districts, both inclusive, accessory buildings shall meet the following requirements:

A. Location. An accessory building shall be located on the same zoning lot as the principal building or structure it serves is located. An accessory building shall not be located closer to the front lot line than the principal building. An accessory building shall be located not less than ten (10) feet from the principal building. Side and rear yard requirements as set forth in this Ordinance shall not apply to accessory buildings.
18.50.040 Exception to Required Yards

A required yard shall remain open and unobstructed, except as follows:

A. Eaves, ornamental features, and other ordinary projections normally associated with a residential building or structure may project not more than two (2) feet into the required yard.

B. Open stairways and balconies, decks, arctic entries, chimneys, and other structures greater than two and one-half (2½) feet in height, may project a distance of not more than twenty (20) percent into the required yard.

C. Decks, paved terraces, patios, driveways, and other similar structures, not greater than two and one-half (2½) feet in height, may be located in the required yards.

D. In all zoning districts, and except as provided otherwise, required off-street parking may be located in the required yards.

18.50.050 Exceptions to Building Height Requirements

In the RA-40, Rural and Agricultural through LC, Light Commercial, 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. Radio towers, antennas, 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.

18.50.060 Off-Street Parking and Loading Requirements

In all districts, except the CU-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 Ordinance.

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. Bowling Alley One (1) space per three (3) seats
2. Furniture store One (1) space per five hundred (500) square feet of sales area
3. Hospital, sanitarium One (1) space per three (3) beds
4. Hotel (guestrooms only, add other uses extra), roominghouse Three (3) spaces per four (4) guestrooms
5. Office One (1) space per two hundred (200) square feet
6. Residential One (1) space per dwelling unit
7. Store (except furniture) One (1) space per two hundred (200) square feet of sales area
8. Theater or auditorium (including school auditoriums), church, funeral parlor, assembly hall One (1) space per four (4) seats
9. Restaurant One (1) space per three (3) seats
10. Trailer park, hotel One (1) space per unit
11. All commercial and industrial uses not otherwise designated Three (3) spaces per four (4) 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 three hundred (300) feet of the zoning lot, that accommodates the building, structure, or use being served.

F. Shared Off-Street Parking Spaces. Up to fifty (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 such one (1) 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 (1) handicapped equipped and designated off-street parking space for every fifty (50) required off-street parking spaces or ten (10) such spaces, whichever is less. Said space or spaces shall be at least eight (8) feet in width with an access aisle at least five (5) feet in width adjacent to the driver's or passenger's side of the car space. Said space or spaces shall be within two hundred (200) feet of an entrance to the building, structure, or use being served and, where there is more than one (1) 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 (5) feet of the center line 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 twenty-five (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 (9) feet in depth and eighteen (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 ten (10) feet, a minimum length of forty (40) feet, and a minimum height clearance of fourteen (14) feet.

5. All off-street parking and loading facilities including circulation drives and access routes shall be surfaced with at least two (2) inches of compacted gravel and graded and drained.

18.50.070 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 MHP, Mobile Home Park district, both inclusive, permitted signs are as follows:

   a. one (1) identification sign per dwelling;

   b. office buildings and other nonresidential uses, where permitted in residential zones, may have one (1) sign;

   c. one (1) real estate sign per lot;
d. one (1) 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 MHP, Mobile Home Park district, both inclusive;

b. one (1) 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 (1) sign per street lot line limitation;

c. other temporary signs as set forth herein.

3. Signs in the C1-1 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 Title 17, Fairbanks North Star Borough Code of Ordinances, one (1) 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 ninety (90) percent of the land in the subdivision has been sold, but not to exceed a two (2) year period, whichever occurs first.

2. Portable Signs: Except in residential zoning districts, one (1) 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 district, the number of political signs is unlimited.

d. Political signs shall not be displayed more than forty-five (45) days prior to and seven (7) days after the date of the election. Political signs advertising successful candidates in a primary election may be displayed until seven (7) days following the general election.

e. When a political candidate is advertised, the candidate is responsible for ensuring the conditions of this section are met.
18.50.080 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 fifty (50) percent of the floor area of the residential dwelling unit shall be devoted to the home occupation.

C. Except for one (1) 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. 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.

18.50.090 Fences

In the SF-20, Single-Family Residential district through the MFO, Multiple-Family Residential/Professional Office district, both inclusive, fences and non-building walls shall not exceed eight (8) feet in height, except as set forth elsewhere in this Ordinance and in other ordinances.

18.50.100 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 (2½) feet and eight (8) 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 thirty (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.

18.50.110 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 twenty (20) feet shall be required from all property lines which form the perimeter of the travel trailer park of campground.

2. Building height. Building height shall not be greater than thirty-five (35) feet.

3. Space area. Each travel trailer or campground space shall not be less than one thousand two hundred fifty (1,250) square feet in area.

4. Space width. Each travel trailer or campground space shall not be less than twenty-five (25) feet in width.

5. Distance between structures. The minimum side-to-side and end-to-end spacing between travel trailers and/or other permitted buildings or structures and any subsequent additions thereto shall not be less than fifteen (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 (2) 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 twenty-five (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 thirty (30) feet from any street intersection, or ten (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 facilities for common use by park or campground occupants. Unless 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 and ground water.

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 Title 17, Fairbanks North Star Borough Code of Ordinances, streets shall meet the following minimum size standards:

1. Ten (10) feet per moving lane;

2. Seven (7) feet per on-street parallel parking lane, where on-site parking for each space is not provided;

3. Two (2) 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 so as, nearly as possible, be equal distance 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.

18.50.120 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:


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 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 C.F.R. 100 through 189.

18.50.130 Standards for Junkyards

Junkyards, where they are a conditional use, shall meet the following standards:

A. The proposed site shall not be established within five hundred (500) feet of any school building, hospital, public building, or residential structure adjacent thereto.

B. The proposed site shall have direct access from a major collector or arterial street, as defined by Title 17, Fairbanks North Star Borough Code of Ordinances.
C. Junkyards shall be completely enclosed and obscured from the public view by a solid fence or wall not less than eight (8) feet in height, by topography, or by natural planting of a height and density to provide and maintain a year-round visual screen. The type of screening shall be specified in the conditional use application. If the conditional use is granted, the screening which is approved shall be fully constructed, inspected, and approved prior to the yard being utilized. Failure to maintain the screen as specified shall be cause for the conditional use to be revoked and the junkyard shall be removed at the cost of the owner of the land upon which it is located.

D. Provisions shall be made to prevent any contamination of the domestic water supply or excessive surface runoff from the property into adjoining lands or streams. A drainage plan specifying the method of disposing surface runoff from the site shall be subject to the approval of the Alaska Department of Environmental Conservation, City of Fairbanks or North Pole Public Works Departments, and Borough Department of Public Works.

18.50.140 Lighting

A. 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.

18.50.150 Standards for Public Utility and Service Uses

Public utility and service uses, 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.
Chapter 18.52.000
ADMINISTRATION

Sections:
18.52.010 Department of Community Planning
18.52.020 Planning Commission
18.52.030 Board of Adjustment
18.52.040 Borough Assembly

18.52.010 Department of Community Planning

The Department of Community Planning shall have the primary responsibility of
the administration of the provisions of this Ordinance. In addition thereto, the
Department of Community Planning shall:

A. Receive, file, and forward copies of requests for rezonings, conditional
   uses, variances, and amendments to this Ordinance to the Planning
   Commission.

B. Review and analyze all applications received, assemble recommendations, and
   transmit said recommendations to the Planning Commission.

C. Receive recommendations concerning rezonings and amendments to this
   Ordinance from the Planning Commission and transmit same to the Borough
   Assembly.

D. Inspect uses of land to determine compliance with the provisions of this
   Ordinance, and where there are violations, initiate action to secure
   compliance.

E. Review and issue zoning permit applications to determine if a proposed
   development complies with the provisions of this Ordinance.

F. Maintain current and permanent records of this Ordinance, including, but
   not limited to maps, rezonings, conditional uses, variances, amendments to
   this Ordinance, nonconforming uses, appeals, and applications, including
   the recording of district amendments and conditional uses on the Official
   Zoning Map.

G. Decide or make recommendations on all other matters arising from this
   Ordinance upon which the Department of Community Planning is required to
   act.

H. Provide such technical assistance as may be required by the Planning
   Commission or the Borough Assembly in the exercise of their respective
   duties.

I. Provide and maintain public information services relative to matters
   arising out of this Ordinance.

18.52.020 Planning Commission

The Planning Commission shall:

A. Make determinations on requests for conditional uses and variances in the
   manner prescribed herein.

B. Make recommendations on requests for rezoning and amendments to this
   Ordinance in the manner prescribed herein and transmit same to the Borough
   Assembly.
18.52.030 Board of Adjustment

The Borough Assembly shall be the Board of Adjustment for decisions regarding land lying outside of any city incorporated in the Fairbanks North Star Borough. The Fairbanks City Council shall be the Board of Adjustment for decisions regarding land within the City of Fairbanks. The City Council of North Pole shall be the Board of Adjustment for decisions regarding land within the City of North Pole. The Board of Adjustment, or an Appeal's Officer that the Board of Adjustment may designate, shall hear and decide appeals of Planning Commission determinations on requests for conditional uses and variances, and of decisions or determinations made by the Department of Community Planning in the enforcement of this Ordinance.

18.52.050 Borough Assembly

The Borough Assembly shall:

A. Make determinations on requests for rezonings and amendments to this Ordinance.

B. Instruct the Department of Community Planning, from time to time, to make or initiate studies and draft reports concerning issues arising from this Ordinance and from other planning and zoning practices.
Chapter 18.54.000
AMENDMENTS, CHANGES, AND PROCEDURES

Sections:
18.54.010 General Procedures for Rezonings, Conditional Uses, and Variances
18.54.020 Procedures for Rezonings
18.54.030 Procedures for Conditional Uses
18.54.040 Procedures for Variances
18.54.050 Amendments to this Ordinance
18.54.060 Zoning Permits
18.54.070 Appeals

18.54.010 General Procedures for Rezonings, Conditional Uses, and Variances

A. Initiation. Applications for rezonings, conditional uses, and variances shall be made and reviewed according to the following procedures:

1. The applicant shall complete and submit the application forms provided by the Borough, along with the required processing fee, prior to the time and date established as the deadline for the Planning Commission meeting.

2. The Department of Community Planning shall review the submitted request, and submit the recommendation and all other applicable information to the Planning Commission, and Borough Assembly. The recommendation shall be based upon conformance to the comprehensive plan and public safety.

B. Public Hearing. Rezonings, conditional uses, and variances shall become effective only after a public hearing has been held at which all interested parties and/or citizens shall have an opportunity to be heard, and at which approval has been recommended or granted by the members of the Planning Commission or Borough Assembly. Notice of the time and place of the public hearing shall be published at least ten (10) days prior to the date of the hearing in a newspaper with general circulation in the jurisdiction of the Planning Commission and Borough Assembly. In addition, whenever a parcel, lot, or area of land is to be considered for a rezoning, conditional use, or variance, notice of the public hearing shall be mailed to all owners, as shown by the records of the Borough Assessor, of property in the area to be considered. Notice shall also be sent to owners of lots or land either within an area measured five hundred (500) feet in all directions from the boundaries of the area being considered if the request is of land within the incorporated areas of the Cities of Fairbanks and North Pole, or within an area measured one thousand (1000) feet in all directions from the boundaries of the area being considered if the request is of land outside of the incorporated areas of the Cities of Fairbanks and North Pole. In either instance, at least ten (10) owners of lots or land outside of the area being considered shall be notified by mail, whereby these distance requirements shall be increased.

C. Limitations. A proposed rezoning, conditional use, or variance which has been denied by the Planning Commission, and/or the Borough Assembly on a particular tract of a land for a particular purpose cannot again be applied for within six (6) months from the date of the denial, unless a new request is submitted that is determined to be substantially different from the original request (i.e. an application for a different but not necessarily a more restrictive zoning district, use, distance, area, etc.).

D. Public hearings. Testimony shall be limited to matters dealing with public health, safety and general welfare.
18.54.020 Procedures for Rezonings

A. Initiation. The Borough Assembly may, from time to time, change the zoning of parcels of land within the Borough. These changes in zoning classification shall be for the purpose of meeting the land use needs of the residents of the Borough in conformance with the Comprehensive Plan. A change in zoning classification may be initiated by:

1. Any member of the Borough Assembly;

2. Any person or persons provided that an application for rezoning is accompanied by a petition favoring the proposed rezoning signed by the owner or owners of at least fifty-one (51) percent of the property within the area proposed to be rezoned. If any individual property owner owns more than twenty-five (25) percent of the land area proposed to be rezoned, then the petition shall contain such property owner’s signature. Land owned by the State of Alaska shall not be included in these computations.

B. Application for a Rezoning. Any member of the Borough Assembly may initiate a rezone by preparation of a suitable ordinance and introduction of same to the Borough Assembly in accordance with Assembly procedures. Any person or persons who wish to initiate a rezone shall complete and submit the application forms provided by the Department of Community Planning along with all requested information. The written consent of the owner of the interest in the property to be rezoned, or an authorized representative having power of attorney, shall accompany all applications. The written consent of a holder of a security interest in the property does not need to be obtained. The application shall also include the following information:

1. The legal and common description of the property to be rezoned.

2. The property's present and proposed zoning classification.

3. The recommendation for use of the property by the Borough's Comprehensive Plan.

4. The reasons for requesting the rezoning.

C. Public Hearing. Public hearings on rezones initiated by members of the Borough assembly shall be conducted in accordance with procedures required for all ordinances. The Planning Commission shall conduct public hearings on applications for rezones initiated by persons who own an interest in the property to be rezoned.

D. Hearing and Recommendation by the Planning Commission. The Planning Commission shall review, hear, and recommend whether or not a request for rezoning should be approved. The Planning Commission shall consider all oral and written statements from the applicant, the public, the Department of Community Planning, and its own members prior to making its recommendation. The Planning Commission shall also consider and adopt findings in each of the following:

1. Whether or not the proposed rezoning conforms to the Comprehensive Plan and to the public health, safety, and welfare.

The Planning Commission shall recommend either the approval or denial of the request.

E. Submission to the Borough Assembly. Within thirty (30) days of the Planning Commission’s recommendation to approve a request for rezoning, or a report of said recommendation together with an ordinance shall be submitted to the Borough Assembly and a public hearing date shall be established.

F. Hearing and Determination by the Borough Assembly. The Borough Assembly shall review, hear, and decide whether or not a request for rezoning shall be approved. The Borough Assembly shall either approve or deny the request.
18.54.030 Procedures for Conditional Uses

A. Generally. The development and execution of this Ordinance is based upon the division of the Borough into districts. It is recognized, however, that there are conditional uses which, because of their unique character and special and unusual impact upon the use of adjacent property, cannot be properly classified in any particular district or districts without consideration, in each case, of the impact of those uses upon adjacent property and upon the public need for the particular use in a particular location. Conditional uses are those operated by a public agency or public utility or uses traditionally associated with the public interest, or uses entirely private in nature but of such a character that their operation may give rise to unique problems with respect to their impact upon adjacent property or public facilities.

B. Application for a Conditional Use. An applicant for a conditional use shall complete and submit the approved application form in accordance with the procedures established herein. The applicant shall be the owner of the property described on the application, the contract purchaser of said property, the holder of an option to purchase said property, or such persons that possess a substantial proprietary interest in the property being considered. The written consent of the owner, or an authorized representative having power of attorney, shall accompany all applications. The written consent of a holder of a security interest in the property does not need to be obtained. The application shall also include the following information:

1. The legal and common description of the property to be considered for a conditional use.
2. The conditional use requested and the reasons for requesting it.
3. The property's present zoning classification.
4. A site plan showing the subject property and its dimensions.
5. The use, location, size, and height of all existing and proposed buildings and structures on the subject property.
6. Where applicable, the location of all existing and proposed curbs, driveways, off-street parking spaces and loading areas, traffic circulation patterns, street and right-of-way width, sidewalks, landscaping, screening, open space areas, signage, lighting, and other related matters.

C. Public Hearing. No conditional use request shall be approved until a public hearing has been held thereon by the Planning Commission in accordance with the procedures established herein.

D. Hearing and Decision by the Planning Commission. The Planning Commission shall review, hear, and decide whether or not to approve a request for a conditional use. In its deliberations, the Planning Commission shall consider all oral and written statements from the applicant, the public, and the Department of Community Planning. The Planning Commission shall also consider and adopt findings in each of the following:

1. Whether or not the proposed conditional use conforms to the intent and purpose of this Ordinance and of other ordinances and State statutes.
2. Whether or not the proposed conditional use is in the interest of the applicant.
3. Whether or not there are adequate existing sewage capacities, transportation facilities, energy and water supplies, and other public services to serve the proposed conditional use.
4. Whether or not the proposed conditional use will protect the public health, safety, and welfare.

The Planning Commission may approve or deny a conditional use request or may approve a conditional use request with conditions to insure the protection of the public health, safety, and welfare. Such conditions may relate to any, or more, of the following: traffic flow and access requirements; lighting; pedestrian movements.
18.54.040 Procedures for Variances

A. Generally. The Planning Commission may allow a departure from the
numerical regulations of this Ordinance pertaining to the size of yards and
open space areas, building height and size, lot area, number and location
of off-street parking spaces and loading areas, and other matters
pertaining to the operation and construction of permitted uses.

1. Situations where variances may be granted include, but are not limited
to: exceptional narrowness, shallowness, or shape of a specific piece
of property at the time of the adoption of this Ordinance; exceptional
topographic conditions; other extraordinary or exceptional situations
or conditions of a specific piece of property; or because of existing
situations or conditions that are generally prevalent in the immediate
area that create a character similar to what would occur as a result
of an approval of the request for a variance; or where the strict
application of this Ordinance would result in a peculiar, exceptional
and undue hardship, upon the owner of such property.

B. Application for a Variance. An applicant for a variance shall complete and
submit the approved application form in accordance with the procedures
established herein. The applicant shall be the owner of the property
described by the application, the contract purchaser of said property, the
holder of an option to purchase said property, or such persons that
possess a substantial proprietary interest in the property being
considered. The written consent of the owner, or an authorized
representative having power of attorney, shall accompany all applications.
The written consent of a holder of a security interest in the property does
not need to be obtained.

An application for variance must meet the following standards:

1. Special conditions exist which are peculiar to the land involved and
which are not applicable to other land in the same zoning district;

2. Strict interpretation of the provision of the zoning ordinance would
deprieve the applicant of rights commonly enjoyed by other properties
in the same district under the terms of the zoning ordinance;

The application shall also include the following information:

1. The legal and common description of the property on which the variance
is to be considered.

2. The variance requested, and the reasons for the request.

3. The property’s present zoning classification.

4. A site plan showing the subject property and its dimensions.

C. Public Hearing. No variance request shall be approved until a public
hearing has been held thereon by the Planning Commission in accordance with
the procedures established herein.

D. Hearing and Decision by the Planning Commission. The Planning Commission
shall review, hear, and decide whether or not to approve a request for a
variance. In deliberations, the Planning Commission shall consider all oral
and written statement from the applicant, the public, and the Department of
Community Planning. The Planning Commission shall also consider and adopt
findings in each of the following:

1. Whether or not the proposed variance conforms to the intent and
   purpose of this Ordinance and of other ordinances and State statutes.

2. Whether or not the denial of the proposed variance will deprive the
   applicant the use of his/her property in a manner equivalent to the
   use permitted to be made by the owners of property in the immediate
   area.
3. Whether or not the proposed variance will protect the public health, safety, and welfare, traffic and parking conditions, from danger of fire.

The Planning Commission may approve or deny a variance request or may approve a variance request with conditions upon the property benefited by the variance as may be necessary to comply with the standards set forth in this Ordinance to ensure consistency with the general intent of this Ordinance.

18.54.050 Procedures for Amendments to this Ordinance

A. Initiation. Amendments to this Ordinance may be initiated by the Borough Assembly, Planning Commission. An amendment to this Ordinance involves changes in its text and wording, including but not limited to changes in the regulations regarding uses, setbacks, heights, lot areas, definitions, administration, and/or procedures.

B. Application for an Amendment to this Ordinance. An amendment to this Ordinance may be initiated by any member of the Borough assembly by preparation of an appropriate ordinance and introduction and enactment of same in accordance with Assembly procedures. An application for an amendment of this Ordinance initiated by the Planning Commission shall be made by the completion and submission of the appropriate application forms provided by the Department of Community Planning.

C. Review and Decision by the Borough Assembly. The Borough Assembly shall review, study, and decide whether or not to adopt a proposed amendment to this Ordinance.

D. Limitations, Amendments, and Revisions. The Borough Assembly may approve the proposed amendment, deny it, or refer it back to the Planning Commission for further review and consideration. If approved, the Department of Community Planning shall revise this Ordinance accordingly.

18.54.060 Zoning Permits

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, provisions of this Ordinance 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 Ordinance and other ordinances.

1. Except for conditional uses, changes made to any land or use in the QU-1 district 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 (5) business days of the time of submission. The Department shall not approve a zoning permit application until it is satisfied that the proposed development meets the regulations and provisions of this Ordinance and other ordinances. If approved, the Department shall issue the zoning permit allowing construction to commence.
A. Initiation of Appeal. Decisions may be appealed to the Appeals Officer or the Board of Adjustment by:

1. An applicant for a conditional use or variance;

2. Any governmental agency or unit;

3. Any person adversely affected by a decision or determination made by the Director of the Department of Community Planning in the enforcement of this Ordinance, or who is adversely affected by a decision of the Planning Commission concerning a request for rezone, conditional use, or variance, or a request for amendment to this Ordinance.

B. Notice of Appeal. A notice of appeal shall be filed within fifteen (15) days after the decision was made from which the appeal is being taken. A notice of appeal shall be filed in duplicate with the Borough Clerk and shall contain:

1. The appellant's name, mailing address, and telephone number;

2. Detailed and specific allegations of error in the decision being appealed;

3. A statement of the result desired by the appellant.

The appellant shall pay an appeal fee as provided in a fee schedule to be approved by the Assembly. An untimely notice of appeal or a notice of appeal which does not conform with the requirements of this subsection shall be deemed. No further proceedings shall be made on a defective notice of appeal unless the defect is corrected within the period provided for an appeal.

C. Notice of Hearing. The Borough Clerk shall promptly schedule appeals for hearing by the Appeals Officer or Board of Adjustment. Notice of the hearing of the appeal shall be mailed to the appellant and to all persons or parties who received notice of the original hearing of the decision being appealed not later than ten (10) days prior to the date of the hearing. Notice of the hearing of the appeal shall also be published in a newspaper of general circulation in the Fairbanks North Star Borough not later than ten (10) days prior to the date of the hearing.

D. Appeals hearing. The Board of Adjustment or an Appeals Officer, shall hear an appeal de novo. The Appeals Officer or Board of Adjustment may exercise its independent judgment on legal and factual issues raised by the appellant or appellee.

E. Decision. Where an appeal is heard by the Board of Adjustment, a majority vote of the fully constituted Board of Adjustment is required to decide an issue appealed from. For purposes of this section, the fully constituted Board of Adjustment shall not include those members who did not participate in the proceedings in accordance with this section. Where an appeal has been referred to an Appeals Officer, the Appeals Officer alone shall decide the appeal. A decision shall be in a form which finally disposes of the case on appeal except for cases remanded for further proceedings. Every decision by the Board of Adjustment or an Appeals Officer shall be based upon findings of fact and conclusions adopted by the Board of Adjustment or the Appeals Officer. Such findings shall be reasonably specific so as to provide the community, and where appropriate, reviewing authorities a clear and precise understanding of the reason for the decision. The Board may seek the assistance of the Borough Attorney in preparation of the findings.

F. Judicial review. Either the appellant or the appellee may appeal the decision of the Appeals Officer or the Board of Adjustment to the superior court. Appeals shall be made in accordance with the Alaska Rules of Civil Procedure.
Chapter 18.56.000
NONCONFORMING (GRANDFATHERED) USES AND LOTS

Sections:
18.56.010 Purpose
18.56.020 Authority to Continue
18.56.030 Restrictions

18.56.010 Purpose

The purpose of this chapter is to provide for the regulation of nonconforming buildings, structures, uses, and lots, and to specify these circumstances and conditions under which they shall be allowed to continue as legal nonconforming uses and lots.

18.56.020 Authority to Continue

Any nonconforming building, structure, use, or lot which existed lawfully prior to the effective date of this Ordinance or any lawful building, structure, use, or lot which has become nonconforming upon the adoption of this Ordinance or any subsequent amendment thereto, may be continued. Any change in ownership of such a building, structure, use, or lot does not void grandfather rights.

18.56.030 Restrictions

Except for agricultural buildings, structures, and livestock, and any other agricultural activities, any nonconforming building, structure, use, or lot, which does not conform with the regulations of the zoning district in which it is located shall be subject to the following:

A. Nonconforming Buildings and Structures.
   1. A nonconforming building or structure may be enlarged or altered.

B. Nonconforming Uses.
   1. A building, structure, or premises devoted to or designed for, in whole or in part, a nonconforming use may be enlarged or altered.
   2. In the event that a nonconforming use of a building, structure, or premises, or part thereof, is discontinued for any reason for a period of thirty-six (36) months, the subsequent use of the same building, structure, or premises, or part thereof, shall thereafter be in conformance with the zoning district in which it is located. The Director of the Department of Community Planning, with the concurrence of the Borough Assembly, may extend this thirty-six (36) month period to allow relief from emergencies or other extenuating circumstances which are outside the control of the landowner.

C. Nonconforming Lots.
   1. In any zoning district, a lot, which was lawfully subdivided and recorded prior to the adoption of this Ordinance or any subsequent amendment thereto, and that because of said adoption or amendment fails to meet the minimum lot size requirements of the zoning district in which it is located, shall be considered as a useable lot.
Chapter 18.58.000
ENFORCEMENT AND PENALTIES

Sections:
18.58.010 Duty to Enforce
18.58.020 Penalties

18.58.010 Duty to Enforce

The Department of Community Planning shall enforce the provisions of this Ordinance.

18.58.020 Penalties and Remedies

A. A violation of the provisions of this Ordinance, or any regulation adopted hereunder shall be a civil offense. Upon conviction, the court shall levy the appropriate fine of three hundred (300) dollars for each day the violation exists not to exceed one thousand dollars ($1,000).

B. The Director of the Department of Community Planning may cause to be instituted any appropriate civil action to enjoin a violation of the provisions of this Ordinance. Injunctive relief may be sought for a violation or a threatened violation.
## Appendix A

### Geometric Standards

<table>
<thead>
<tr>
<th>Zoning District</th>
<th>Front Yard</th>
<th>Side Yard</th>
<th>Rear Yard</th>
<th>Maximum Building Height</th>
<th>Minimum Lot Size</th>
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<tr>
<td>OR</td>
<td>50</td>
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<td>25</td>
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<td>Multi-Family 1,500 sq. ft./</td>
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</tbody>
</table>

<sup>1</sup> Except as may be required by the State of Alaska Department of Environmental Conservation in areas where community sewer and water are unavailable.
V2019-003: A request by Steven Brooks ADOT&PF Right-of-Way Agent, on behalf of George E. Sikorski for lot size variance of 69,431 square feet to the RA-5 zone requirement of 200,000 square feet. Prior to the right-of-way acquisition this lot was 130,680 square feet. This project leaves a remainder lot of 130,569 sq. ft. The property is located at 878 McGrath Road.

<table>
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<th>PRINTED NAME</th>
<th>SIGNATURE</th>
<th>MAILING ADDRESS</th>
<th>DID YOU TAKE THE OATH</th>
</tr>
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<tbody>
<tr>
<td>John Doe</td>
<td>John Doe</td>
<td>123 Anyplace Ave Fairbanks AK 99701</td>
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</tr>
<tr>
<td>STEVEN BROOKS</td>
<td>John Doe</td>
<td>2301 Peger Rd, Fairbanks</td>
<td>X</td>
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<tr>
<td>Brian Roberts</td>
<td></td>
<td>2301 Peger Rd, Fairbanks</td>
<td>X</td>
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</table>
FAST PLANNING
1. Call to Order
2. Introduction of Members and Attendees
3. Approval of the August 7, 2019 Agenda
4. Approval of the July 3, 2019 Meeting Minutes
5. Committee/Working Group Reports (including the Chair’s Report)
6. Public Comment Period (Non-Action Items)
7. Old Business
   b. Draft State Implementation Plan – Motor Vehicle Emission Budget Analysis
8. New Business
   a. Cushman Street Bridge Rehabilitation – Project Update
   b. Use of Remaining FFY19 Offsets (Action Item)
      • Consideration of using offset funding for FFY20 Advance Construction payback
   c. Project Funding Increases – Policy Revision (Action Item)
      • Consideration of expanding authority levels for approval of project increases for planning, design, right-of-way, and utilities phases
   d. FAST Planning 2020 Operating Budget (Action Item)
9. Other Issues
10. Informational Items
    a. 7.17.19 Policy Board Action Items
    b. Obligations and Offsets
11. Technical Committee Comments
12. Adjournment

Next Scheduled Technical Committee Meeting – Wednesday, September 4, 2019, Noon, Fairbanks City Council Chambers
ADDENDUM
MATERIALS

COMMUNICATIONS

August 13, 2019
By: Bryce J. Ward, Mayor

Introduced: 07/25/2019
Advanced: 07/25/2019
Amended: 08/08/2019
Adopted: 08/08/2019

FAIRBANKS NORTH STAR BOROUGH

ORDINANCE NO. 2019-34

AN ORDINANCE ADDING FNSBC 4.04.155, TELECONFERENCING, TO ALLOW AND
ESTABLISH RULES FOR BOARD AND COMMISSION MEMBERS TO PARTICIPATE IN
CERTAIN MEETINGS VIA TELECONFERENCING

WHEREAS, Full board and commission member participation in meetings is
in the best interest of the boards and commissions, allowing for broad input and
maximizing citizen representation by board and commission members; and

WHEREAS, Allowing board and commission members to participate in
meetings via telephone or other electronic means when they would otherwise be absent
supports the goal of maximum representation and participation; and

WHEREAS, As technology evolves it is necessary to update the Code to
reflect new capabilities; and

WHEREAS, Other communities and the assembly allow
telephonic/electronic participation.

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

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

Section 2. FNSBC 4.04.155, Teleconferencing, is hereby added as
follows:

4.04.155 Teleconferencing
A. A member of a board or commission may participate in and vote at a regular or
special meeting or work session by teleconference (e.g. telephone, videoconferencing,
or similar technology) under the following circumstances:

AMENDMENTS ARE SHOWN IN LEGISLATIVE FORMAT
Text to be added is underlined
Text to be deleted is [BRACKETED, CAPITALIZED]
1. The meeting or work session is held with a quorum of members physically present. Notwithstanding other provisions herein, all members may participate by conferencing in a special meeting called to consider emergency action.

2. Reasonable technical capabilities are available at the meeting location to allow participation by teleconference, to include being able to hear and engage in discussion and being audible to all persons participating in the meeting.

3. Prior to the meeting, reasonable efforts are made to ensure the member participating by teleconference is provided with the meeting agenda and other pertinent documents to be discussed and/or acted upon. Access to the agenda and documents from the borough’s website or borough email is considered sufficient access.

4. A board or commission member is participating by teleconference due to:
   a. An illness or injury of the board or commission member or family member.
   b. The death of a family member.
   c. An employment-related commitment.
   d. A commitment for borough business.
   e. Other similar circumstances as determined by the chair.

B. Board or commission members shall provide the board or commission clerk with at least 24 hours’ notice of their intent to participate by teleconference and provide contact information for purposes of setting up the teleconference.

C. No more than the first three members to contact the board or commission clerk requesting participation by teleconference at a particular meeting may participate remotely. Notwithstanding other provisions herein, all members may participate by teleconference in a special meeting called to consider an emergency action.

D. Board or commission members are responsible for any charges incurred due to their participation by teleconference in a meeting unless they are absent from the community on borough business.

E. Board or commission members participating via teleconference shall make every effort to participate in the entire meeting. From time to time during the meeting, the chair or clerk shall confirm the connection, and will disconnect the remote member if that member, the board or commission, and the public are not clearly audible to one another. All votes taken at the meeting are by roll call.

F. Board or commission members may participate by teleconference in regular meetings two times per calendar year unless the board or commission member is participating by teleconference due to an illness or injury of the board or commission member or family member. Newly appointed board or commission members may only attend by teleconference after attending at least three regular meetings in person.

G. A board or commission member may not preside over or chair a meeting in which they are participating by teleconference.

H. Participation by teleconference is not allowed at any meeting for which a quasi-judicial matter is scheduled to be heard by a board or commission.

AMENDMENTS ARE SHOWN IN LEGISLATIVE FORMAT
Text to be added is underlined
Text to be deleted is [BRACKETED, CAPITALIZED]

Fairbanks North Star Borough, Alaska
ORDINANCE NO. 2019-34
Page 2 of 3
Section 3. Effective Date. This ordinance shall be effective at 5:00 p.m. on November 8, 2019.

PASSED AND APPROVED THIS 8TH DAY OF AUGUST, 2019.

Matt Cooper
Presiding Officer

ATTEST:

April Trickey, CMC
Borough Clerk

Yeses: Williams, Wildridge, O’Neall, Sanford, Lojewski, Lyke, Quist

Noes: None

Other: Tacke (Excused), Cooper (Excused)