

Municipality of Anchorage

MEMORANDUM

DATE: September 15, 2025

TO: Planning and Zoning Commission

THRU: Mélisa R. K. Babb, Planning Director

FROM: Megan Rohlfing, Associate Planner

SUBJECT: Case 2025-0095, Text Amendment to Anchorage Municipal Code 21.07.080F.4.

This text amendment will reflect the updated second inspection timeline recommended in the Municipality of Anchorage Standards and Specifications (M.A.S.S.) document, task Land Use Enforcement Officers with completing the second inspection, and lists temporary tree support structures that must be removed from plant materials after one year (i.e., removed prior to the second inspection).

AMC 21.03.210 Title 21 - Text Amendments

C. Approval Criteria

Text amendments may be approved if the assembly finds that all the following approval criteria have been met:

1. The proposed amendment will promote the public health, safety, and general welfare.

The proposed amendment creates continuity between municipal code and best management practices documented in M.A.S.S. The public's general welfare improves as consistency between municipal code and supporting documents reduces confusion for landscapers, builders, and developers.

AMC 21.07.080F.4. tasks land use enforcement officers with inspecting landscaping and plant material at the time of planting. Further assigning land use enforcement officers to the second inspection one year after planting provides continuity in the assessment of landscaping and plant materials. This improves public safety as the second assessment of installed plant materials by municipal staff, who are already familiar with the site and landscaping, enables them to knowledgably inspect for survivability.

Lastly, codifying the requirement to remove temporary structures prior to the second inspection promotes public health. Structures like water berms, moose cages, and stakes helps plant material, namely trees, weather a variety of circumstances during the first year of installation; however, when left on a tree to remain without additional inspection or maintenance, these structures affect a tree's growth habits, structural integrity, and long-term survivability. By requiring the temporary structures removal prior to the second inspection, and confirming their removal, trees can grow without physical these physical obstacles, thereby improving public health outcomes in the innumerable ways (including oxygen

creation, pollution filtration, stormwater runoff management, wind buffers, etc.) that healthy trees contribute to urban environments.

2. The proposed amendment is consistent with the comprehensive plan and the stated purposes of this title.

AMC 21.07.080F.1. *Plant Materials* describes the property owner's responsibility to, "replace plant materials which are provided in response to the requirement of this title, but perish due to poor maintenance, lack of hardiness, mechanical damage, or some other reason." The proposed amendment to AMC 21.07.080F.4. aligns with the previously quoted section as municipal land use enforcement officers can confirm if the plants survived the first year after planting and there was appropriate removal of temporary structures. If any landscaping did not survive or temporary structures were not removed, municipal land use enforcement officers will be able to enforce AMC 21.07.080F.1, which they cannot currently do.

This code change also aligns with the following purpose from AMC 21.07.010A.4., "To provide appropriate standards to ensure a high-quality appearance for the municipality and promote good design while also allowing flexibility, individuality, creativity, and artistic expression." As land use enforcement officers identify landscaping that did not survive the first year, they can require those plants be removed and replaced. Additionally, if temporary structures are found on plant materials after the first year, land use enforcement officers will succinctly enforce their removal, which keeps the accessory structures from deteriorating in appearance and hindering a plant's growth over time.

3. The proposed amendment is necessary or desirable because of changing conditions, new planning concepts, or other social or economic conditions.

The proposed amendment is necessary as it reflects the second inspection timeline update recently published in M.A.S.S. Without this code change, the discrepancy between M.A.S.S. and Title 21 will result in confusion and conflict for municipal staff and landscapers.

Bolstering this amendment by assigning the second inspection to municipal land use enforcement officers further aligns with their responsibility to perform the initial inspection found in Title 21. Codifying the removal of temporary structures is desirable for tree growth and appearance and will occur when land use enforcement officers perform the second inspection.

Departmental and Public Comments

State and Municipal reviewing agencies had no objections to this ordinance. Please refer to Attachment 2, "Comments" for correspondence from State and Municipal reviewing agencies. Comments made by fellow municipal staff aided in improvements to the draft ordinance, as seen in Attachment 1 entitled, "Draft Assembly Ordinance." Lastly, as of this writing, the Planning Department has not received public comments.

Department Recommendation

The Department recommends approval of the text amendments to AMC 21.07.080F.4. Enclosed is the draft Assembly Ordinance.

Attachments to Memorandum

1. Draft Assembly Ordinance
2. Comments

Attachment 1.

Draft Assembly Ordinance

Case 2025-0095

1 **AN ORDINANCE AMENDING ANCHORAGE MUNICIPAL CODE CHAPTER**
2 **21.07.080F.4., INSTALLATION OF LANDSCAPING, TO PERMIT A SECOND**
3 **INSPECTION BY MUNICIPAL CODE ENFORCEMENT OFFICERS OF**
4 **REQUIRED LANDSCAPING ONE YEAR AFTER INSTALLATION.**
5

6 (Planning and Zoning Commission Case No. 2025-0095)
7

8 **WHEREAS**, the Project Management and Engineering Department updated the
9 Municipality of Anchorage Standard Specifications (M.A.S.S.) effective October 1st
10 2024; and
11

12 **WHEREAS**, the updates pertaining to Division 75 of 2024 M.A.S.S. require a
13 second code inspection to occur one year after installation to ensure plant
14 survivability on private developments required by Anchorage Municipal Code
15 (AMC) Title 21; and
16

17 **WHEREAS**, updating AMC Title 21, Chapter 7 to codify the updated timeline for
18 the second inspection of landscaping on private development and assign municipal
19 code enforcement officers to complete this inspection to ensure plant materials
20 survived and all accessory structures were removed; now, therefore,
21

22 **THE ANCHORAGE ASSEMBLY ORDAINS:**
23

24 **Section 1.** Anchorage Municipal Code section 21.07.080F.4. Installation of
25 Landscaping, is hereby to read amended as follows (*the remainder of the chapter*
26 *is not affected and therefore not set out*):
27

28 *** **

29 **21.07.080F.4. INSTALLATION OF LANDSCAPING**
30

31 *** **

32 **4. Installation of Landscaping**
33

34 *** **

35 **b. Guarantee of Landscaping Survival**
36

- 37 i. The owner shall be responsible for landscaping installed to fulfill
38 the requirements of this title, [AND] the approved [SITE]
39 landscape plan[.], and supplemental Municipality of Anchorage
40 landscaping standards. [IN ORDER TO] To ensure the
41 preservation or replacement of required and installed
42 landscaping, the owner shall provide to the municipality a

warranty guarantee such as a letter of credit, escrow, performance bond, or other surety as approved by the director. Single-family and two-family homes and multifamily and townhouse developments with less than five units [OR] on individual lots, and lots less than 10,000 [SF] square feet in area are exempt from providing this guarantee. The warranty guarantee shall be in an amount equal to the following schedule and shall remain in effect for [TWO YEARS] one year. The year will begin on the date the municipality witnesses the installation per the approved landscape plan and will end on the date one year later.

- ii. At warranty end and prior to the municipality authorizing release of the guarantee, [A LICENSED LANDSCAPE ARCHITECT OR A CERTIFIED ARBORIST] municipal code enforcement officers shall inspect the landscaping. [WHEN LANDSCAPING IS FOUND TO BE COMPLETE AND HEALTH AS INTENDED, THE INSPECTOR SHALL PROVIDE A AFFIDAVIT OF THE SAME TO THE DIRECTOR] The municipal code enforcement officer shall confirm the survival of plant materials and the removal of temporary watering, support, and protection systems, per the approved landscape plan and in accordance with Municipality of Anchorage landscaping standards. Should the municipal code enforcement officer observe dead or dying plant material or the presence of temporary systems, including but not limited to watering berms, tree staking/guying, and moose protection fencing, [AT THE DIRECTION OF THE ABOVE INSPECTOR] the owner shall replace failed or failing landscaping with healthy material and remove temporary systems per the approved landscape plan and to the satisfaction of the [INSPECTOR] municipal code enforcement officer prior to release of the guarantee. The municipality shall release the guarantee within 30 days of [RECEIVING THE AFFIDAVIT OF THE] an approved [PASSED] landscape inspection by the municipal code enforcement officer[INSPECTOR] that all the landscaping is found to be complete and healthy as intended.

*** **

(AO 2012-124(S), 2-26-13; AO 2013-117, 12-3-13; AO 2015-82, 7-28-15; AO 2017-55, 4-11-17; 2017-160, 12-19-17; AO 2017-176, 1-9-18; AO 2020-133, 1-14-20; AO 2020-11, 2-25-20; AO 2020-38, 4-28-20; AO 2020-93, 10-1-20; AO 2021-89(S), 2-15-2022; AO 2023-103(S), 12-18-23; AO 2024-24, 4-23-24)

Section 2. This ordinance shall be effective immediately upon passage and approval by the Assembly.

1 PASSED AND APPROVED by the Anchorage Assembly this _____ day of
2 _____, 2025.

3
4
5
6 _____
7 Chair of the Assembly

8 ATTEST:

9
10 _____
11 Municipal Clerk
12
13
14

DRAFT

Attachment 2.

Comments

Case 2025-0095

Rohlfing, Megan E.

From: Stephanie Cloud <scloud@bettisworthnorth.com>
Sent: Tuesday, September 2, 2025 1:13 PM
To: Rohlfing, Megan E.; Roy, Isobel; Elise Huggins
Subject: Re: Updated 2025-0095 draft -- please forward to ASLA

RECEIVED

[EXTERNAL EMAIL]

SEP 02 2025

Hi all,

Sorry for my delayed response. I am very happy to hear that the muni will be conducting warranty inspections. Thank you Megan and Isobel for seeing this through.

And thank you Elise for sharing with ASLA!

Stephanie Cloud | Landscape Architect

Main. 907.561.5780 | Direct Cell. 907.771.4585

2550 Denali Street, Suite 1300 Anchorage, AK 99503

**BETTISWORTH
NORTH**



Our Anchorage office has moved! Please be aware of our address change above.

From: Rohlfing, Megan E. <Megan.Rohlfing@anchorageak.gov>
Sent: Thursday, August 28, 2025 2:17 PM
To: Roy, Isobel <isobel.roy@anchorageak.gov>; Elise Huggins <ehuggins@earthscapealaska.com>; Stephanie Cloud <scloud@bettisworthnorth.com>
Subject: RE: Updated 2025-0095 draft -- please forward to ASLA

Hello, Elise and Stephanie!

Thank you, Isobel, for the digital introduction.

Yes, please feel free to email this chain with any responses or thoughts you may have. Additionally, which I am not a licensed landscape architect, I am an ISA certified arborist and, if it is helpful, I am happy to email ASLA as the main point of contact for this amendment ordinance (AO). If anybody has their contact information, or the information from a specific individual within the organization, I would greatly appreciate receiving it. Or, if I could be CC'd on correspondence to ASLA for review of the AO, that would also be appreciated.

Thank you all so much, and look forward to hearing from y'all!



MEMORANDUM

RECEIVED

DATE: July 28, 2025

TO: Current Planning Division Supervisor.
Planning Department

THRU: Kristen A. Langley, Traffic Safety Section Supervisor,
Traffic Engineering Department

FROM: Travis Just, Engineer Tech IV

SUBJECT: Traffic Engineering Department Comments

2025-0095 Draft Title 21 Text Amendment to Update the Inspection of Landscaping Survival for Initial Review and Feedback

JUL 28 2025

Traffic Engineering has no objection to Text Amendment Update.

From: Mayer, Jennifer (P&R)
To: Blake, Lori A.; Kimmel, Corliss A.
Subject: Request for comment: 2025-0095 - Amend to Title 21 to reflect M.A.S.S. updates
Date: Friday, July 18, 2025 1:52:32 PM
Attachments: Outlook-Logo_Desc.png
Outlook-3kxjmspq.png
Outlook-2ut52hfn.png
Outlook-fifbelax.png
Outlook-zxrmfwnw.png

RECEIVED

JUL 21 2025

Hello,

The MOA Parks and Recreation Department has No Comment on 2025-0095.

Thank you for the opportunity to comment,
Jennifer



Jennifer A. Mayer
Land Administrative Coordinator
Municipality of Anchorage Parks and Recreation
P 907.343.4503 W www.muni.org/Parks

