

Assembly Committee Document  
7.2.E

***Municipality of Anchorage***

**MEMORANDUM**

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**DATE:** December 8, 2008

**TO:** Planning and Zoning Commission

**THRU:**  Tom Nelson, Planning Director

**FROM:** Physical Planning Division

**SUBJECT:** Case No. 2007-153; Issue Response for Chapter 21.07, Section 21.07.080 of the Title 21 Rewrite — Landscaping, Screening, and Fences

The following are the issues and staff responses and/or recommendations regarding landscaping in the public hearing draft of the Title 21 rewrite.

**1. Issue:** 21.07.080, *Landscaping, Screening, and Fences*

Landscaping is a critical element needed to implement Anchorage 2020. Please provide at least 3 examples of newly landscaped development to illustrate how these standards would improve current landscaping practices. The public need to see an illustration of the maximum application of bonus points and credits in the direction of an urban hardscape for several different sizes of developments. All across Anchorage, we see varying types of development with little or no buffer in between. A goal of Anchorage 2020 is to protect neighborhoods in the face of increased density. Buffers are an important part of that protection. These requirements are an improvement, but also appear to be thin protection. Table 21.07-2 shows an L2 buffer between R-6 and PLI. That scant 8' would be the buffer to developments as extensive as Legacy Point and possibly hotels if a recently proposed ordinance is adopted.

The examples following would provide a buffer that would be distressing to anyone who had a new development put in at the higher density.

Examples Using Tables 1 and 2 (p.51):

An R-6 lot adjacent to R1 would require no buffer.

An R-6 lot adjacent to R2-M, R-2F, PLI, NMU, CMU and B-1A would likely have about 150' of L2 "visual enhancement" required. That buffer is 8' wide and needs 75 units of screening. Those units would get something like two existing trees 10' high, eighteen 3' high shrubs and 90' of 4' high fence.

An R-1 lot next to B3 would require L3 Buffer landscaping. R-1 lots would be about 50' wide so would need 55 units of landscaping. That could get three trees, one 8' and another 10' with two of them evergreens. You'd also get sixteen 2' high shrubs and a 4'

fence along the full length. This would be to screen a building on B-3 could be over 45' tall.

It is nice to see the additional emphasis on survivability of trees in Table 21.07-1 (p.49).

It looks like the preservation of native vegetation has slipped in importance since the previous draft while the points for topsoil and seeding increased by a factor of 10.

**Staff Response:** Staff provided comparative information regarding the current and draft new standards and site testing results to the Commission at a presentation on November 20, 2008.

The perimeter landscaping standards in Table 21.07-2 are intended to be minimum default standards that would apply to a site unless a stricter standard is applied from another part of Title 21. In instances in which a commercial or industrial zoning district abuts a residential district, L3 buffer landscaping is typically applied. In addition to Table 21.07-2, other areas of the code may have stricter perimeter landscaping standards. For example, there are use-specific standards in chapter 21.05 for many land uses, including those allowed in the PLI district, with stricter perimeter landscaping standards than Table 21.07-2 and those standards would supersede those in the Table. Stricter standards may also be required through conditional uses and site plan reviews that are approved by the Planning and Zoning Commission or Urban Design Commission. Finally, parking lot perimeter landscaping may also be stricter than the default standards of Table 21.07-2. For example, parking lots for non-residential uses abutting a residential use requires L-3 parking lot perimeter landscaping.

Existing code standards were used as a starting point to develop the proposed landscaping standards. The proposed standards are intended to provide more design flexibility, encourage existing tree preservation, and increase the minimize size of landscape materials, particularly trees. In the process of developing the proposed standards, staff has conducted site testing and comparative analysis. Staff has also worked with and revised the landscape units based on local landscape architects' association comments regarding per unit-costs. In response to public comments, staff has proposed some revisions in Table 21.07-2 to make the perimeter landscaping requirements consistent for two abutting zoning districts, regardless of which of the two districts is under development.

**Staff Recommendation:** Page 51, Table 21.07-2. Refer to the attached table with recommended amendments (deletions are shown with a strike-through and additions are underlined).

**2. Issue:** 21.07.080A *Purpose*; 21.07.080C *Landscape Plan*; 21.07.080G.1 and 3 *Plant Materials*; and, 21.07.080G4 *Installation of Landscaping*

We appreciate the draft's attention to retention of existing vegetation and trees, promotion of native plants, and prohibition on invasive species. We would like to see these goals emphasized more, and retention of trees and landscaping with native plants required in more settings. Site perimeter landscaping with evergreens and other screening is especially important, to visually buffer incompatible adjacent land uses year-round.

(A) (8) Prevent the use of non-native invasive plants which outcompete native species and reduce habitat and water quality.

(C) Landscaping Plan: ...A landscape plan may be combined with any land clearing, vegetation protection, erosion control, invasives prevention or control, or snow removal plan...

(G) (1) (a) Plant Choices and Quality: ...In all cases the plant materials shall be living and free of defects, free of contamination by non-native invasive plants, seeds, and plant parts, and of normal health...Non-native plant species identified as invasive by the Alaska Department of Natural Resources and/or the State of Alaska shall not be used.  
(delete last sentence- lines 21, 22, 23)

(G) (3) (c) All of the landscaped area that is not planted with trees and shrubs shall be planted in non-invasive ground cover plants...

(G) (4) (b) Surety: ...and an inspection has found that the required landscaping is in good health and any non-native plants identified by the Alaska Department of Natural Resources and/or the State of Alaska as invasive have been eradicated, the surety shall be released.

Ground Cover/Vegetation is described in this chapter. I would like to see an emphasis on native species use when applicable. I would also like to see a complete ban on invasive species including a ban on low-grade grass seed that is not properly screened for invasives.

**Staff Response:** A. The use of non-native invasive species will not be allowed in landscaping required by this chapter as regulated in the Plant Materials addressed in 21.07.080G.1. The new purpose statement proposed in the public comment goes beyond the scope of the landscaping section in Title 21. No changes recommended.

C. There is no such thing as an invasives prevention or control plan, to be combined with a landscaping plan.

G.1.a.—The department does not object to these suggested changes.

G.3.c.—This language is not necessary due to the prohibition on invasive species in G.1.a.

G.4.b.—The zoning inspectors will receive additional landscape training as part of the follow-up to the code rewrite, but it may not be realistic to expect them to become invasive plant experts, except for the most notable species listed in the Title 21 user's guide.

**Staff Recommendation:** Pages 56-57, lines 40-44 and 1-4, amend to read, "All plant material utilized in meeting landscaping and screening requirements shall be hardy for its selected area as referenced in the user's guide. In all cases the plant materials shall be living and free of defects; free of contamination by non-native invasive plants, seeds, and plant parts; and of normal health, height, and spread as defined by the American Standard for Nursery Stock, ANSI Z60.1, latest available edition, American Nursery and Landscaping Association. Plants may be nursery grown or transplanted from the wild or native stands, provided the plants meet all ANSI Z60.1 standards. Non-native plant species identified as invasive by the State of Alaska shall not be used. [PLANTS

LISTED IN THE MOST CURRENT EDITION OF THE DOCUMENT, SELECTED INVASIVE PLANTS OF ALASKA, USDA, FOREST SERVICE, ALASKA REGION, SHALL NOT BE USED.]”

**3. Issue:** 21.07.080A.7., *Purpose*

While encouraging the use of native plants in landscaping regulations, use and promote the word SPRUCE. It is the only evergreen that will give the long term, visual results desired by this section. See photos included.

This section does more to ensure that Anchorage will be a livable city than almost any other section. Neither Seattle nor Las Vegas can compare to some of our better landscaped commercial areas. Do not water down these requirements. The Self Storage Ordinance had good landscaping standards that were severely reduced at the last moment through political maneuvering.

**Staff Response:** Although requiring a specific type of evergreen tree in the code may be too restrictive, some additional intent language can be added to the standards for buffer and screening landscaping regarding the expected performance of the evergreen trees that are used to meet L3 and L4 requirements. There is already a requirement in the plant materials section of the draft (21.07.080G.1.b) that installed evergreen trees shall have a minimum 5:3 height to spread ratio. An additional note is also proposed for the performance of L2 visual enhancement landscaping when it's being used for parking lot perimeter landscaping.

**Staff Recommendation:** Page 53. Add two new provisions under “d. Additional Standards for Site Perimeter Landscaping” as follows:

- vii. When L3 perimeter landscaping is being applied along a lot line or a parking lot perimeter which abuts residential development, evergreen trees shall be placed to visually buffer the points at which vehicle headlights or other obtrusive elements such as on-site storage could otherwise be seen from the abutting residential use. Trees and shrubs shall also provide continuous coverage along the length of the landscape bed.
- viii. When L4 screening landscaping is being applied along a lot line which abuts residential development, freeways and associated frontage roads, evergreen trees shall be used to visually screen the most obtrusive elements such as storage areas from view of the abutting residential use or freeway. Trees and shrubs shall also provide continuous coverage along the length of the landscape bed.

**4. Issue:** 21.07.080C., *Landscape Plan*

Leave flexible the requirement for landscape plans to be prepared by licensed landscape architects or other design professionals. Non-professionals can often exceed professional landscaping plans as is evidenced around town. If there are good guidelines for non-professionals to follow, the desired result will be obtained.

**Staff Response:** Landscape architects and other design professionals have the education and training to properly design and install landscaping to ensure its proper functioning and survival.

**Staff Recommendation:** No changes recommended.

5. **Issue:** 21.07.080D., *Alternative Equivalent Compliance*

Does this allow enough flexibility for seeking alternative compliance due to aesthetic desires? i.e., if architectural and hardscape elements are of a high enough aesthetic, will this allow acceptance with minimum (but appropriate) plantings?

**Staff Response:** Alternative equivalent compliance is a new concept in the code. Staff has attempted to provide parameters to be sure that the intent is met. As this provision is used, staff will be watching closely to be sure the process is working as intended.

**Staff Recommendation:** No changes recommended.

6. **Issue:** 21.07.080F.4., Table 21.07-1, *Landscape Units Awarded*

One of the key areas our group had focused on during the previous reviews is addressing the point system for determining the unit values. Our goal, as a starting point had been to establish some equity in dollar value across the various units, particularly within the plants. A second guiding principal was that current landscape requirements are generally adequate. Our belief is that the new unit system should not impose increased quantities of landscape materials, but rather offer increased flexibility for how best to use them. That is not currently reflected in Table 21.07-1 for some categories. It is most noticeable in the L-3 and L-4 categories. Our previous effort suggested .7 units per linear foot for L-3 (versus 1.1 in current version) and 1.6 units for L-4 (versus 2.2 units in current version). Although it is possible to distribute the plantings over a wider area, because they don't have to be ten-feet on center, this will either call for a lot more plant material or larger plant material than we are currently using for the same applications.

Although we have been told that the intent is to encourage preservation of existing plant material, a large proportion of site development in the Anchorage Bowl is re-development and for those sites, there is not a great deal of existing vegetation to preserve. I believe in many cases, the new requirements will result in overplanting.

**Staff Response:** The derivation of the landscape units began with the current standards, factored in per unit costs (installed) of the various landscape materials, and slightly increased the minimum required tree size. The landscape units required for L3 and L4 landscaping were then increased slightly to encourage tree retention where that situation may apply, to encourage larger than minimum tree or shrub materials, and/or encourage use of other possible measures such as a earthen berm or an ornamental screening fence in some situations. If .7 units per linear foot were used for L3, it would basically replicate current code standards for trees and shrubs and contain no added incentives for tree retention or other measures described above. If 1.6 units per linear foot were used for L4, it would be similar to the L3 in equating the current code requirements for trees and shrubs only. In fact, using the lower unit standards for L3 and L4 could possibly result in less plant materials than the current code if a large existing tree or trees were used toward meeting the landscape unit requirements. Given the objectives of the landscape section to improve the appearance of street corridors and urban districts (e.g., by the use of slightly larger landscape materials, and allowing flexibility in design) and to encourage existing tree preservation, the proposed number of landscape units for L3 and

L4 seem more appropriate than the number of units proposed in the public comment. Staff recommends keeping the standards for L3 and L4 as listed in the public hearing draft.

**Staff Recommendation:** No changes recommended.

**7. Issue:** 21.07.080F.4., Table 21.07-1, *Landscape Units Awarded*

On Table 21.07-1, I believe the use of lawn is not given adequate points. Lawn only really comes into play for site enhancement landscaping. Large expanses of lawn can be a very attractive contribution to our community. An example is the large open lawn at the British Petroleum Building. As one can imagine, open space of greater than 10,000 square feet will likely require a lot of plantings based on the requirement of 1 unit for every 50 square feet. Lawn, which has an installation cost of approximately \$750.00 per 1,000 square feet has the same point value as a single shrub, which has a value of about \$70.00. I believe the value for lawn should at least be doubled.

**Staff Response:** Table 21.07-1 assigns topsoil and seed (i.e., installed lawn) 1.2 units per 100 square feet or 12 units per 1,200 square feet. Since the landscape units roughly equate to \$100 per unit, a lawn area of 1,000 square feet was initially estimated by the staff landscaping committee to cost about \$1,200. Further discussion of this item by the staff landscaping committee resulted in upping the landscape units for 1,000 square feet of lawn to 15 units and the cost to \$1,500. This revision would match the recommended value of lawn that was cited in the public comment.

**Staff Recommendation:** Page 49, Table 21.07-1. Increase the landscape units for Topsoil (4" depth) and seeding to 15 units per 1,000 square feet.

**8. Issue:** 21.07.080F.4., Table 21.07-1, *Landscape Units Awarded*

Also on Table 21.07-1 I believe annual plantings should be removed. Annual plantings are often replaced with other plantings after a single year as owners discover how maintenance intensive they can be. I believe it is too easy to change this after one year in place.

**Staff Response:** The item in Table 21.07-1 called "Annual flower bed" was previously deleted in the public hearing draft.

**Staff Recommendation:** No changes recommended.

**9. Issue:** 21.07.080F.4., Table 21.07-1, *Landscape Units Awarded*

Retained Existing Vegetation Mass. I believe these bonuses are good, but if the intent is to retain the complete mass as an ecosystem, there should be a requirement to preserve the complete mass including the native undergrowth in its current condition. That doesn't seem to show up anywhere, although I could have missed it.

**Staff Response:** The language in the public hearing draft regarding “retained existing vegetative mass” implies but is not totally clear about what is included in the vegetative mass.

**Staff Recommendation:** Page 49, Table 21.07-1. Revise footnote #4 in Table 21.07-1 to read as follows:

(4) In order to receive landscaping units for a retained existing vegetation mass, the complete mass including the native undergrowth shall be preserved in its current condition. [IN ORDER TO DETERMINE THE AMOUNT OF] To calculate bonus landscaping units, determine the total landscape unit value of eligible trees within a retained vegetation mass. Multiply this total landscape unit value times the percentage indicated to obtain the number of bonus landscaping units.

**10. Issue:** 21.07.080F.4., Table 21.07-1, *Landscape Units Awarded*

While the desire to encourage retaining existing vegetation is laudable, but why award more points for an existing tree retained than for a newly installed tree? Is there a difference once the project is completed between the aesthetics of a retained tree and a newly installed tree? Also the table awards points based on the size of the tree not on the overall appearance.

**Staff Response:** The intent of awarding additional landscaping units to existing trees and shrubs is to encourage retention of existing vegetation on a site, which is a community goal expressed in the comprehensive plan. Existing vegetation has survived its location with typically little or no maintenance in contrast to new landscaping which needs to become established and requires maintenance for at least several years.

**Staff Recommendation:** No changes recommended.

**11. Issue:** 21.07.080F.4., Table 21.07-1, *Landscape Units Awarded*

Shrubs under 24 inches in their natural setting have no value but newly installed shrubs down to 10 inches add value, why?

**Staff Response:** Although a native (10” to 18” high) evergreen shrub isn’t known to exist in Anchorage, a redeveloping site may have existing evergreen shrubs such as mugho pine from previous development of the site. For consistency with the landscape units awarded to other existing trees and shrubs in Table 21.07-1, an existing evergreen shrub should have a slight bonus in landscape units over a newly installed evergreen shrub.

**Staff Recommendation:** Page 49, Table 21.07-1. Revise the category in the table for “Evergreen shrub, 10” to 18” high” by deleting “n/a” for in the “existing retained” column and replacing with 1.2 landscape units for existing retained shrubs of this size.

**12. Issue:** 21.07.080F.4., *Landscape Units Awarded*

This section introduces a new concept, unit values for landscaping. The MOA should provide an analysis of how this new concept compares to the existing requirements.

**Staff Response:** Existing code standards were used as a starting point to develop the proposed landscaping standards. The proposed standards are intended to provide more design flexibility, encourage existing tree preservation, and increase the minimize size of landscape materials, particularly trees. In the process of developing the proposed standards, staff has conducted site testing and comparative analysis. Staff will prepare comparative information for use during the Planning and Zoning Commission's deliberations regarding this section.

**Staff Recommendation:** Staff provided comparative information regarding the current and draft new standards and site testing results to the Commission at a work session on November 20, 2008.

**13. Issue:** 21.07.080F.5., Table 21.07-2, *Applicability of Site Perimeter Landscaping*

The L2 buffer appears to work against CPTED for PLI at B-3 and RO. Compare to CPTED principles and adjust to L1 perimeter buffer or allow CPTED guidelines.

**Staff Response:** L2 visual enhancement landscaping, which would be required between PLI and B-3/RO, is intended to soften the visual impacts of a use, or “where visibility between areas is more important than a visually obscuring screen.” The landscape architect can design the L2 landscaping to provide sight lines and meet CPTED principles.

**Staff Recommendation:** No changes recommended.

**14. Issue:** 21.07.080F.5., Table 21.07-2, *Applicability of Site Perimeter Landscaping – PR District*

Missing element: this table shows no perimeter landscaping for development adjoining Parks and Rec (PR) land. Certainly, an industrial or major commercial use next to a public playground needs buffering or screening. Add mandatory perimeter landscaping for R-4, R4A and all non-residential development adjoining a PR zone, with L4 for industrial development adjoining a PR.

**Staff Response:** Staff agrees that the PR district abutting commercial or industrial districts should have at least L3 buffer perimeter landscaping to help separate these incompatible uses. Staff doesn't agree that residential districts abutting a park should have a L3 buffer landscaping requirement along the entire perimeter of a park. Note that the perimeter landscaping requirements in Table 21.07-2 are intended to be default minimum standards and standards found in other chapters of Title 21 or even other parts of the landscaping section may have stricter landscaping standards than Table 12.07-2. For example, the Parks and Recreation District (PR) has a use-specific standard in 21.04.070F.2 which requires L3 buffer landscaping between spectator sports areas and abutting residential uses. Secondly, in instances in which there is a conditional use approval or major site plan review process, the perimeter landscaping requirements can

be established and may be increased over the default requirements of Table 21.07-2. Finally, institutional parking lots abutting a residential use are required to have L3 buffer landscaping along the perimeter of the parking lot which abuts the residential use.

**Staff Recommendation:** Page 51, Table 21.07-2. Add a PR column to Table 21.07-2 to require L3 landscaping between the PR district and commercial and industrial districts. Refer to the proposed revisions in Table 21.07-2 which is attached to this memorandum.

**15. Issue:** 21.07.080F.5., Table 21.07-2, *Applicability of Site Perimeter Landscaping – Width of Buffer Separating Multifamily and Mixed-use Districts*

The public hearing draft site perimeter landscaping requirement separating the R-3, R-4 and R-4A districts from any commercial / mixed-use district would result in a 30 foot wide landscaping buffer. This is because the properties on both the residential and commercial/ mixed-use side of the zoning boundary would be each required to provide 15 foot wide L3 Buffer Landscaping. Although the objective is to provide a strong visual buffer or screen between residential and commercial uses, the width of space to be encumbered for landscaping is excessive to the actual need. Therefore, it conflicts with goals to achieve greater land use efficiency, density and economy—particularly on small infill lots. The following discussion itemizes these concerns and recommends an amendment to achieve buffering with a more efficient use of space.

Anchorage 2020 policies and the provisionally adopted districts in Chapter 4 of the Title 21 Rewrite encourage efficient use of land, compact site development, and infill/redevelopment. R-4 and R-4A zoned properties will abut commercial or mixed-use zoned properties more often in the Northwest Sub-area than elsewhere in the Bowl. Many infill/redevelopment opportunities in this part of town will be on small-to-medium sized parcels. Policies to encourage more housing and infill/redevelopment focus on the NW Subarea. In order to achieve housing densities that can best support transit usage, walkable neighborhood commercial districts and Anchorage 2020 housing goals, the land area requirements of the Title 21 Rewrite should be no more than necessary to meet the intent of the code.

Land area requirements that are excessive can spread developments apart, reduce density and waste usable land. For example, the code should not require more parking than is necessary to avoid parking spillover. Likewise, it should not require more space than necessary to achieve a landscaped visual buffer or screen. This is especially important in high-density, mixed-use areas where it is assumed that residential and commercial uses will be in close, walkable proximity. Some of the R-4 and R-4A development may be very similar in scale and intensity as on abutting commercial/mixed-use zoned properties. They do not have the same degree of incompatibility.

A smaller buffer with adequate vertical landscaping elements such as trees and fencing could provide the necessary visual buffering. An eight-foot wide landscaping area is the minimum needed to provide enough width for trees. With screening fence and/or hedge, a landscaped area equal to the L2 Site Enhancement landscaping option could provide a visual buffer.

The Title 21 Economic Impact Analysis (EIA) site development cost comparison testing of a representative example site provides a useful illustration of the land area impacts. The A.L. Spenard Apartments testing site is a half-acre infill lot that was redeveloped in 2005 into a 20-unit apartment project. The EIA model was used to estimate the potential land area requirements of the proposed R-4 district for this development site. The site, if zoned R-4, would abut the commercial corridor to the west, and therefore be required to provide site perimeter landscaping along that western lot line. The EIA model tests find that:

- Assuming a 15 foot wide L3 Buffer is required along the western lot line, 5,100 square feet of the 21,750 square foot of lot area (24%) would be encumbered by setbacks, easements and site perimeter landscaping.
- Assuming that instead an 8 foot wide L2 landscaping strip is required instead, 4,100 square feet of the lot area (19%) would be encumbered by setbacks, easements and site perimeter landscaping. It would result in a 4-5% increase in the efficiency of the use of the site.

The greatest need for efficient use of land exists in and around mixed-use districts including the NMU, CMU and RMU. However, most of the areas designated for mixed-use or transit-supportive development corridors are currently zoned B-3, and in many areas could possibly remain B-3 for many years before rezonings are implemented. Therefore, it is also important to avoid an excessive encumbrance of land where the R-3, R-4 and R-4A abut B-3 zoned lots. These are the areas that will be future town centers and/or mixed-use transit corridors.

**Staff Recommendation:** Amend Table 21.07-2 as follows:

- Amend the site perimeter landscaping requirement for R-3, R-4 and R-4A districts from L3 to L2 where abutting NMU, CMU, B-1A, RMU, B-3 and R-O districts.
- Amend the site perimeter landscaping requirement for NMU, CMU, B-1A, RMU, B-3 and R-O districts from L3 to L2 where abutting R-3, R-4 and R-4A districts.

**16. Issue:** 21.07.080F.5., Table 21.07-2, *Applicability of Site Perimeter Landscaping – Appropriate Groupings of Mixed-use Districts*

The RMU district-specific standards, dimensional requirements and allowed uses most closely resemble the CMU district. Its site perimeter landscaping requirements in Table 21.07-2 are identical to those of the CMU.

The draft Midtown Plan is under development. The future character of MT-1 and MT-2 zoning will take form only through a subsequent code revision process. It would be presumptuous to make assumptions about the MT districts and their relationship to the RMU. MT zoning will not take effect through adoption of the Title 21 Rewrite.

**Staff Recommendation:** Amend Table 21.07-2 as follows:

- Add “RMU” to the row and column for NMU, CMU and B-1A.
- Delete the row and column in the table containing the RMU, MT-1 and MT-2 districts.

**17. Issue:** 21.07.080F.5., Table 21.07-2, *Applicability of Site Perimeter Landscaping – Appropriate Groupings of High-density Residential Districts*

The R-4 and R-4A districts differ substantially in density, bulk and type of allowed uses from the draft R-3 district. Other sections of the draft code, such as the district-specific standards in Chapter 4 and the height limits and height transitions provisions in Chapter 6, appropriately group the R-4 zones differently from the R-3 and apply a very different set of dimensional standards. For example, the height transition provision applies to R-4 and R-4A, not R-3, because it is anticipated that the height of the R-4 zones will be several steps of magnitude higher than all other residential zones including R-3.

By combining R-3 with R-4 and R-4A, the public hearing draft table would not allow for variation in site perimeter landscaping requirements to reflect the basic differences in impact by these districts. In particular, L3 Buffer landscaping is probably warranted where R-4A abuts an R-2F district. R-2F is intended to have a primarily single-/two-family character. R-3 also is potentially incompatible with R-2F, however L2 landscaping is probably acceptable in that case. R-4A is potentially far more intense and incompatible in character with lower density residential uses than is R-3.

Moreover, as discussed in the issues below, R-4 and R-4A allow commercial/mixed-uses, which will affect their site perimeter landscaping requirements in ways that differ from R-3.

**Staff Recommendation:** Amend Table 21.07-2 as follows:

- Break the R-3 and the R-4 districts into two different rows and two different columns in the table.
- Amend the site perimeter landscaping requirement for R-3 district by adding “L2” where abutting the R-2M / R-2F districts.
- Amend the site perimeter landscaping requirement for R-4 and R-4A districts by adding “L3” where abutting the R-2M / R-2F districts.

**18. Issue:** 21.07.080F.5., Table 21.07-2, *Applicability of Site Perimeter Landscaping – Residential Uses in Commercial / Mixed-use Districts*

Testing of the Title 21 Rewrite regulations on two representative site development examples indicates a need to adjust the site perimeter landscaping standards to address multifamily residential development on commercially zoned sites.

The public hearing draft site perimeter landscaping standards for commercial and mixed-use districts are designed to address issues with commercial development, and do not consider residential development.

For example, the site perimeter requirement for any development in a mixed-use zoned lot abutting an R-3 or R-4 residential lot is L3 Buffer landscaping, based on the assumption that the development will be commercial and therefore incompatible with any neighboring residential. Meanwhile, no site perimeter landscaping is required along abutting commercially or mixed-use zoned lots, based on the assumption is that the

development will be commercial and therefore compatible with an adjacent commercial district. For mixed-use districts, moreover, no site perimeter landscaping is required along the street, based on the assumption that the development will have a sidewalk-oriented commercial storefront.

Multifamily residential or a mixed-use development including multifamily residential buildings is likely to occur and should be addressed. Multifamily is an allowed and encouraged use in commercial and mixed-use districts in the draft Title 21 Rewrite. Two B-3 multifamily development sites evaluated by staff for the Title 21 Rewrite suggest that multifamily development already occurs in commercial zones such as B-3 and R-O.

A multifamily use does not need L3 Buffer adjacent to similar multifamily uses. However, it does merit a visual buffer from incompatible commercial uses. It also merits site perimeter landscaping along street frontages, because it will not be a sidewalk storefront style frontage.

Since most residential development in mixed-use districts or commercial districts will be multifamily and allowed to have the scale and intensity of an R-4 district, the site perimeter landscaping requirements for the R-4 districts is the most appropriate to apply.

**Staff Recommendation:** Amend Table 21.07-2 by adding a footnote number “[2]” in brackets in the far left column in the rows addressing the NMU, CMU, B-1A, RMU, B-3 and R-O districts. Then add a footnote at the bottom of the table that reads, “[2] See subsection d.”

Add a new subsection 21.07.080F.5.d following Table 21.07-2, which reads, **“Residential Uses in Commercial and Mixed-use Districts. Household living uses in the NMU, CMU, RMU, R-O and B-3 districts shall be subject to the R-4 and R-4A districts site perimeter landscaping requirements in Table 21.07-2, except that mixed-use dwellings may adhere to the site perimeter landscaping requirements of either the underlying commercial or mixed-use zoning or the R-4 and R-4A districts.”**

**19. Issue:** 21.07.080F.5., Table 21.07-2, *Applicability of Site Perimeter Landscaping – Site Perimeter Landscaping along street frontages in NMU, CMU, RMU, R-4A and R-4.*

The absence of a site perimeter landscaping requirement along street frontages in the NMU, CMU, RMU and B-1A would allow buildings to be set almost right up to the street ROW property line, even with a 6 foot wide paved walking space without any landscaping features between the building wall and moving traffic.

In addition, the building orientation standards do not necessarily guarantee that very many entrances or windows will face each street frontage. There are likely to be long sections of street-facing building facades without windows or detail features, and without foundation landscaping.

The current code has addressed the issue of mixed-use district style frontages in the central business districts (Downtown). Like other business districts in Anchorage, parts of Downtown was platted with inadequate ROW widths to easily meet the needs of both motor traffic and a pedestrian-oriented street environment. Although there is no minimum setback or arterial landscaping standard, buildings in Downtown are required to be set back enough to ensure an 11.5 foot wide sidewalk. The recently adopted

Anchorage Downtown Comprehensive Plan elaborates on the design elements and minimum widths of the furniture, pedestrian movement and storefront portions of the sidewalk.

As in Downtown, the district-specific standards for the mixed-use districts address a minimum sidewalk width. However, it is limited to 6 feet and does not have any streetscape style landscaping standards. Table 21.07-2 in the landscaping section of Title 21 should at least reference the user back to stronger district-specific standards for sidewalk width and street trees.

In addition, there is an inconsistency in the site perimeter landscaping requirement along street frontages for the mixed-use districts and mixed-use development in the R-4A district. Up to half of a site development's floor area may be commercial in the R-4A district, and the commercial mixed-use portion of the development is likely to be oriented to the street frontage. The character of this development is intended to be similar to that of the NMU, CMU and RMU districts, where buildings are oriented to the street sidewalk pedestrian environment.

Therefore, commercial mixed-use development in the R-4 and R-4A should be given the same street frontage treatment option as provided in the NMU, CMU and RMU districts.

**Staff Recommendation:** Amend Table 21.07-2 as follows:

- Amend the site perimeter landscaping requirement for the NMU, CMU, B-1A and RMU districts abutting an Arterial, Expressway, Collector or Local Street to read “L2 [3]”
- Add a reference to footnote “[3]” to the site perimeter landscaping requirements for the R-4 and R-4A districts abutting an Arterial, Expressway, Collector or Local Street.
- Add a footnote [3] at the bottom of the table which reads, “[3] See subsection e.”
- Add a new subsection 21.07.080F.5.e following Table 21.07-2, which reads, “As an alternative to the street frontage site perimeter landscaping requirements of Table 21.07-2, non-residential and mixed-use development in the NMU, CMU, RMU, B-1A, R-4 and R-4A districts may instead comply with the mixed-use district sidewalk streetscape landscaping standards in subsection 21.04.050G.
- Prior to adoption of the Title 21 Rewrite, amend the 21.04.050G.5 to provide more guidance as to the dimensions and required streetscape features of the sidewalk environment including a furniture/landscaping sidewalk zone abutting the street curb and a storefront/building interface zone between the building wall and the clear movement zone of the sidewalk.

**20. Issue:** 21.07.080F.5., Table 21.07-2, *Applicability of Site Perimeter Landscaping — Buffering Residential Districts*

Increase landscaping to next to residential zones. As written, there is no way an industrial use or intensive PLI use is adequately separated from homes by the sparse units required in L3. NMU and CMU can be 4 to 20 acres so L2 and L3 are not enough. All NMU should be L3 next to any residential.

**Staff Response:** The perimeter landscaping standards in Table 21.07-2 are intended to be minimum default standards that would apply to a site unless a stricter standard is applied from another part of Title 21. For example, use-specific standards in chapter 21.05 for certain commercial and industrial uses have stricter perimeter landscaping standards than Table 21.07-2 and those standards supersede those in the Table. Stricter standards may also be required through conditional uses and major site plan reviews that are approved by the Planning and Zoning Commission and Urban Design Commission, respectively. Finally, parking lot perimeter landscaping may also be stricter than the default standards of Table 21.07-2. For the specific example of NMU next to any residential, the perimeter landscaping between the rural residential districts and NMU was set as L2 since it was assumed that rural large lot residential uses already have sufficient trees on the periphery of the property to buffer a small commercial use. For consistency with all residential uses, however, the L2 should be revised to L3.

**Staff Recommendation:** Page 51, Table 21.07-2. Revise the perimeter landscaping requirements in Table 21.07-2 for NMU, CMU, RMU, and B-1A to L3 where these zoning districts abut the R-6, R-8, R-9, R-10, or TA zoning districts. For consistency, these perimeter landscaping standards are also applied to the R-6, R-8, R-9, R-10 and TA when these districts are being developed. Refer to Issue #1 above and to attached Table 21.07-2.

**21. Issue:** 21.07.080F.5., Table 21.07-2, *Applicability of Site Perimeter Landscaping – Buffering Large Lot Residential*

Why are the larger lots currently only given L2, when those larger lots presumably are characterized by privacy and a more rural setting?

**Staff Response:** There is more space on larger lots, and larger setbacks, for property owners to provide their own buffers. However, for consistency, staff recommends that Table 21.07-2 should be revised to require L3 landscaping when large rural residential lots abut any commercial district, including NMU, CMU, RMU, or B-1A, as noted in Issue #20.

**Staff Recommendation:** See Issue #20.

**22. Issue:** 21.07.080F.5., Table 21.07-2, *Applicability of Site Perimeter Landscaping – Buffering PLI and Residential*

PLI, B3, RO should be L3 or L4 next to residential depending on intensity of use. These commercial & institutional zones can have major traffic and deliveries. No way should PLI be left at L2, because the L2 intent to have visual connection doesn't work to separate a gravel extraction or a fire-training center or a bus barn on PLI and any residences next to that tract.

**Staff Response:** Some uses developed on PLI land would merit a larger buffer than L2, and others, such as schools, may not need a larger buffer. The perimeter landscaping standards in Table 21.07-2 are minimum landscaping levels based on abutting zoning districts or abutting streets. However, stricter landscaping standards may apply to certain uses in other sections of the code. For example, the use-specific standards in chapter

21.05 apply to some land uses. Other uses are subject to review and possibly greater perimeter landscaping requirements as part of a conditional use or site plan review process. This is a situation where the neighborhood protection standards of section 21.07.070 come into play. Finally, L3 parking lot perimeter landscaping is used when a non-residential use abuts a residential use. The B-3 and R-O zoning districts already require, in Table 21.07-2, L3 perimeter landscaping when these districts abut a residential district.

**Staff Recommendation:** No changes recommended.

**23. Issue:** 21.07.080F.5., Table 21.07-2, *Applicability of Site Perimeter Landscaping – L4 Screening*

Footnote to Table 21.07-2, last sentence has a big loophole: The waiver of L4 screening from any lot that cannot absorb the 30 foot setback and still have buildable square footage exceeding the zoning district minimum. Essentially, that exempts any lots that are currently platted at zoning district minimum. It encourages developers to subdivide future lots at the minimum lot size and escape the L4 requirement. Either show via a map that this exemption does not create numerous landscape holes along the subject arterials and freeways; or modify it to require at least a 15 foot screening buffer on those small lots. No screening is not acceptable and draws peeping-tom attention to those unscreened lots.

**Staff Response:** This exemption was put into place to accommodate lots that were platted before the highway screening provision was put into the code. A property owner could not subdivide today to escape this requirement. For redeveloping lots that were created prior to the new draft code and which can't meet the 30-foot wide screening requirements, an alternative perimeter landscaping standard should be considered. For example, the next lower level of landscaping (L3 buffer) is recommended by the public comment. Staff has no objection to that recommendation although there may be some lots created prior to the current landscaping standards that would have difficulty even meeting a 15-foot wide L3 standard on lot lines abutting a highway.

**Staff Recommendation:** Page 50, Line 40. Add a new item "c" which contains revised text which was previously in note [1] in Table 21.07-2 to read as follows.

- c. L4 screening landscaping requirements along freeways shall apply to any lot abutting the right-of-way of a freeway designated in the *Official Streets and Highways Plan*, on roadway sections built to freeway design standards with full grade separations of intersecting streets, or to streets functioning as frontage roads for such freeways. Lots abutting the following freeway segments are subject to L4 screening landscaping requirements of this section: 1) Seward Highway between Tudor Road and Potter Road; 2) Glenn Highway between Boniface Parkway to the military reservation boundary; and 3) Minnesota Drive/O'Malley Road between International Airport Road and the Old Seward Highway. The L4 screening landscaping requirements do not apply to the following: A) any lot whose area, less the 30 foot setback area for the L4 screening area, is less than the minimum lot area required in the zoning district; or B) any lot whose depth, excluding all setbacks required by this title, is less than 100 feet. However, the lots described in A and B are subject to L3 buffer landscaping requirements where the lot line abuts a freeway or frontage road for a freeway.

**24. Issue:** 21.07.080F.5., Table 21.07-2, *Applicability of Site Perimeter Landscaping – Adequacy of Visual Buffering*

These “landscape units” appear inadequate to achieve the visual separation, buffering, and screening intended for perimeter landscaping Levels 2, 3, and 4. For example, in L2 which is visual enhancement, 0.4 units of the largest deciduous trees would result in one 4” diameter deciduous tree every 40 feet, and in L3 which is supposed to be a buffer landscape, a 4” diameter tree every 18 feet. This level of landscaping is wholly inadequate to create a visual impression. An L2-“visually-enhanced” parking lot could have a double-tractor trailer parked parallel to the street with no visual interruption by those spindly trees at 40 foot intervals. An L4 screening landscape could have trees every 9 feet, but that still wouldn’t buffer well on a strip 25 feet wide, with probable clustering of trees and gaps between clusters. Please provide a diagram to show actual density of landscaping in each type of perimeter landscaping. Increase the density of units by in L2 by two-fold and in L3 and L4 by 3-fold.

**Staff Response:** The derivation of the landscape units began with the current tree and shrub standards, factored in per unit costs of the various landscape materials, and increased the minimum tree size. The total required landscape units were then increased to encourage: tree retention where that situation may apply, more or larger tree or shrub materials, and/or other possible measures such as a earthen berm or an ornamental screening fence in some situations. For new tree and shrub plantings, it is likely that the smaller sized trees and shrubs will be utilized due to their lower costs. It’s possible that 4 inch caliper trees could be installed, but it would be expensive and isn’t standard practice. However, it’s more likely that a site with existing large trees on its perimeter could greatly benefit from the landscape units awarded to those trees. In those cases, the desired effect of buffering or screening may fall short of expectations since most of the landscape units are allocated to a few trees. Even the desired effects of L2 visual enhancement landscaping, though not intended to be a visual buffer or screen, could be greatly reduced without some standards. Additional standards could help in the design of the L2, L3 and L4 landscape beds, at least in certain situations.

**Staff Recommendation:** Refer to Issue #3 and Issue #33.

**25. Issue:** 21.07.080F.5., Table 21.07-2, *Applicability of Site Perimeter Landscaping – Consistency of Requirements*

Table 21. 07-2 Site Perimeter Landscaping. There is no requirement that R6+ development provide perimeter landscaping abutting PLI, but the reverse IS required. Neither is there a requirement that landscaping be required between residential developments of different densities. Change the chart to reflect these needed requirements.

**Staff Response:** Staff agrees that Table 21.07-2 should be consistent in the application of minimum perimeter landscaping standards. Staff also agrees that perimeter landscaping should be used to separate higher density residential districts from lower density residential districts.

**Staff Recommendation:** The Department recommends revising Table 21.07-2 to be consistent in the requirement of perimeter landscaping to abutting districts. The Department also recommends revising the table to require L3 landscaping between single family residential districts and large lot residential districts. Refer to revisions in Table 21.07-1 which is attached to this memorandum.

**26. Issue:** 21.07.080F.5., *Site Perimeter Landscaping*

Recommend the following re-wording for clarity and conciseness:

a. Purpose

Site perimeter landscaping IS INTENDED [separates land uses of different characteristics or intensities,] to minimize the effects of one land use on another BY VISUALLY SEPARATING DIFFERENT LAND USES OR INTENSITIES. [It reduces unwanted views and other impacts of a land use on adjacent properties.] Perimeter landscaping IS [can] also INTENDED TO mark the interface between public streets and individual properties[y], TO REDUCE [soften] the visual impacts of development on public streets, and TO PROVIDE VEGETATED STREETSCAPES [help to frame the municipality's streetscapes with trees and vegetation.] Four levels of site perimeter landscaping are provided to [accommodate a variety of land uses at a variety of intensities. The intent of each level is described below]:

i. L1 Edge Treatment

Edge Treatment perimeter landscaping is used to define the perimeter of small parking lots located within the CENTRAL BUSINESS DISTRICT ZONES OR MIXED-USE ZONING [DT districts]. It PROVIDES [is applied where a] minimal visual SEPARATION TO MEET THE INTENT OF PERIMETER LANDSCAPING ON CONSTRAINED SITES. [break or buffer is adequate to soften the impacts of a use. It consists of ground covers, perennials, wildflowers, shrubs, trees, fencing, walls, and/or other hardscape elements.]

ii. L2 Visual Enhancement

Visual enhancement perimeter landscaping IS USED [uses a combination of distance and low level landscaping] to soften the visual impacts of SITES [a use or development, or] where COMPLETE VISUAL SEPARATION IS NOT NECESSARY [visibility between areas is more important than a visually obscuring screen. It is applied between certain land uses, on the perimeter of parking areas, and along streets, where it helps to frame the municipality's streetscapes with consistent treatments of trees and vegetation]. IT PROVIDES AESTHETIC VISUAL SEPARATION BETWEEN CERTAIN USES OR DEVELOPMENTS, AROUND THE PERIMETER OF PARKING AREAS, AND ALONG STREETS.

iii. L3 Buffer

Buffer perimeter landscaping is USED TO REDUCE VISUAL IMPACTS OF SITES. [intended to] IT provideS physical and visual separation between uses or developments, AND BETWEEN SITES AND STREETSCAPES. [It provides enough width so that trees may be clustered to provide greater visual buffering.]

iv. L4 Screening

Screening perimeter landscaping is USED TO ELIMINATE VISUAL IMPACTS OF SITES. IT PROVIDES VISUAL AND PHYSICAL SEPARATION BETWEEN INCOMPATIBLE USES OR DEVELOPMENTS, BETWEEN SITES AND STREETSCAPES, AND ALSO PROTECTS [employed as the highest level separation where there are incompatible land uses. It is also used along freeways to protect] major visual corridors ALONG FREEWAYS and THE AESTHETICS FOR entrance gateways into the community.

**Staff Response:** Staff doesn't agree that the proposed language significantly clarifies the section over the current language.

**Staff Recommendation:** No changes recommended.

**27. Issue:** 21.07.080F.5.a.i. through iv., *Purpose*

Request that the minimum bed width be provided in the description for each type of landscaping.

**Staff Response:** Staff agrees that a reference can be added to the introductory paragraph to indicate that the specifications regarding each landscaping level can be found in Table 21.07-3.

**Staff Recommendation:** Page 50, Lines 1-10. Add a sentence to this paragraph as follows:

**5. Site Perimeter Landscaping**

**a. Purpose**

Site perimeter landscaping separates land uses of different characteristics or intensities, to minimize the effects of one land use on another. It reduces unwanted views and other impacts of a land use on adjacent properties. Perimeter landscaping can also mark the interface between public streets and individual property, soften the visual impacts of development on public streets, and help to frame the municipality's streetscapes with trees and vegetation. Four levels of site perimeter landscaping are provided to accommodate a variety of land uses at a variety of intensities. Refer to Table 21.07-3 for specifications regarding each landscaping level. The intent of each level is described below:

**28. Issue:** 21.07.080F.5.a.iv., *L4 Screening*

L4 screening is missing an intent statement, which was provided for L1, L2, and L3. Add an intent statement with measurable screening standards, including near-total screening at ground level because these are incompatible adjoining uses. Proposed wording:

L4 screening is intended to provide a 75 to 100 percent visual barrier between incompatible uses for the first 8 vertical feet from ground level. If either of the incompatible uses extends above 12 feet, the L4 screening shall include trees with heights that will be match the structure's height or achieve 50 feet on maturity, clustered

in landscaping units, to provide at least 40 percent screening of or from the incompatible uses from 12 feet to 50 feet above the ground.

**Staff Response:** The intent statement for L4 screening is in subsection 21.07.010F.5.a.iv. The language recommended by the public comment would be extremely specific in comparison to the other intent statements and could present code enforcement issues over time. Staff supports keeping the more general intent language in this section with some revisions as noted earlier in this issue/response memo in Issues #3 and #27.

**Staff Recommendation:** Refer to Issues #3 and #27 in this memorandum.

**29. Issue:** 21.07.080F.5.c., Table 21.07-3, *Specifications for Site Perimeter Landscaping*

These unit requirements are significantly greater than what is currently required by T21. At the bottom of the attached PDF is a calculation to take equivalent current unit requirements, and increase them by 25% to encourage better site design.

Table 21.07-3 Specifications for Perimeter Landscaping. See above for the rationale for recommending Spruce for the evergreen of choice for landscaping. Delete or severely edit the loophole in footnote 1 that allows a petitioner to claim the site is too small for trees to be installed. This is rarely the case. See photos of Huffman Business Park landscaping where effective landscaping is achieved in an approximate 5-8 ft width.

**Staff Response:** The landscape unit requirements for perimeter landscaping are greater than what is currently required by Title 21. The purpose of these additional unit requirements is to encourage: retention of existing trees, use of more or larger sized trees and shrubs, and possible use of other landscaping elements such as berms and ornamental screening fences. Since landscape architects and other design professionals will be completing the landscape plans, there is an assumption that the site designs will be completed at a professional level, so it's unclear how a further incentive to encourage even better site design would be determined.

The footnote in Table 21.07-3 pertains to L1 edge treatment landscaping, which only applies to small parking lots within a few proposed downtown zoning districts. Due to this limited application, staff recommends keeping the footnote as written.

**Staff Recommendation:** No changes recommended.

**30. Issue:** 21.07.080F.5.d., *Additional Standards for Perimeter Landscaping*

Modify iii. By adding the language "...upon submission of a winter space enhancement alternative."

This section explicitly recognizes that due to low sun angles and solar shadowing of abutting properties that particular locations on a site merit a treatment different approach. Rather than reducing winter color by allowing for the elimination of green evergreens the addition of this language will encourage the petitioner to submit a winter friendly landscape approach.

Recommend the following rewording for clarity and conciseness:

- i. Minimum width of planting area shall be measured FROM [as the width of the planting beds between the] back of CURB TO BACK OF CURB [edge curbing] or landscape edging.
- ii. IN LOCATIONS [W]Where there will be vehicle overhang into A [the required] planting BED, [area along any curb edge or wheel stop, add] two feet SHALL BE ADDED to the required minimum planting area width [at these locations]. THE ADDITIONAL TWO FEET OF PLANTING BED MAY BE COUNTED TOWARD THE LENGTH OF THE REQUIRED PARKING SPACE.
- iii. IN ORDER TO REDUCE [Due to low sun angles and] solar shadowing of ADJACENT [abutting] residential lots [in the spring and fall], the director may waive EVERGREEN [the] requirementS [that a minimum number of landscape units shall be evergreen trees along north lot lines that abut residential or mixed-use districts,] FOR PROPERTIES where [the] lot lines LIE [runs] within 30 degrees of east-west AND ARE ADJACENT TO RESIDENTIAL PROPERTIES.

(MAY NEED GRAPHIC FOR THIS PROVISION)

- iv. If perimeter landscaping includes a fence or wall and abuts a public street right-of-way, the landscapING[e] bed shall be located between the fence or wall and the street right-of-way.
- v. No sign of any kind, other than one real estate sign [per site] no larger than six square feet, is permitted along freeways within the planting area of L4 screening perimeter landscaping.
- vi. Existing natural vegetation in THE [any] required L4 screening perimeter landscaping area shall not be disturbed. [, but] THIS VEGETATION shall be augmented with ADDITIONAL [planted] landscaping if [that vegetation does not meet the standards for] L4 screening REQUIREMENTS ARE NOT MET. Supplemental plantings shall not disturb existing vegetation. [, but in the event existing vegetation is disturbed, it shall be restored.] EXISTING VEGETATION SHALL BE REQUIRED IN THE EVENT OF DAMAGE OR DISTURBANCE TO EXISTING VEGETATION.

**Staff Response:** Staff agrees with most but not all of the suggested revisions.

**Staff Recommendation:** Page 52, Lines 10-13 and Page 53, Lines1-19. Revise as follows:

***Additional Standards for Site Perimeter Landscaping***

- i. Minimum width of planting beds [AREA] shall be measured [AS THE WIDTH OF THE PLANTING BEDS BETWEEN THE] from back of curb to back of curb, [EDGE CURBING] or landscape edging.
- ii. [WHERE THERE WILL BE] Vehicle overhang shall not extend into the minimum required planting bed [AREA] width. [ALONG ANY CURB EDGE OR WHEEL STOP, ADD TWO FEET TO THE TO THE REQUIRED MINIMUM PLANTING AREA WIDTH AT THESE LOCATIONS].

- iii. [DUE TO LOW SUN ANGLES AND] In order to reduce solar shadowing of abutting residential properties [LOTS] in the spring and fall months, the director may waive evergreen tree [THE] requirements [THAT A MINIMUM NUMBER OF LANDSCAPE UNITS SHALL BE EVERGREEN TREES] along north lot lines that abut residential or mixed-use districts, where the lot line runs within 30 degrees of east-west.
- iv. If perimeter landscaping includes a fence or wall and abuts a public street right-of-way, the landscape bed shall be located between the fence or wall and the street right-of-way.
- v. No sign of any kind, other than one real estate sign per site no larger than six square feet, is permitted along freeways within the planting area of L4 screening perimeter landscaping.
- vi. Existing natural vegetation in the [ANY] required L4 screening perimeter landscaping area shall not be disturbed [, BUT] and shall be augmented with additional [PLANTED] landscaping if [THAT VEGETATION DOES NOT MEET THE STANDARDS FOR] L4 screening requirements are not met. [SUPPLEMENTAL PLANTINGS SHALL NOT DISTURB] If existing vegetation [, BUT IN THE EVENT EXISTING VEGETATION] is disturbed, it shall be restored, to the extent possible, to its original condition.

**31. Issue:** 21.07.080F.6., Table 21.07-4, *Parking Lot Perimeter Landscaping Requirements*

The table should keep L3 for most parking lots but should require L4 for large parking lots next to residential use. Large parking lots have added impacts of heat absorption, wind-driven dirt and litter, and greater traffic speed and noise than small parking lots. Require L4 for parking lots with more than 1 drive aisle parallel to a residential lot line, or 10 spaces deep perpendicular to a residential use; or 100 feet of parking perpendicular to the lot line, which ever is less.

**Staff Response:** In the draft Title 21 rewrite, large parking lots (greater than 100 parking spaces) are required to have 10% parking lot interior landscaping. For large retail establishments (greater than 25,000 square feet of gross floor area) adjacent to residential districts, there is a proposed requirement for L4 screening landscaping along these lot lines. In other cases, a project (e.g., a school or other institutional site) may be subject to a major site plan review or conditional use which could also result in stricter landscaping requirements or the preservation of a wooded buffer between the project and abutting residential development. In other types of land uses, there are use-specific standards regarding separation distances and screening that may be stricter than the parking lot perimeter landscaping standards. Given the factors discussed above, staff recommends that the 15 foot wide L3 landscape buffer remain as the default standard for large parking lots abutting a residential area.

**Staff Recommendation:** No changes recommended.

**32. Issue:** 21.07.080F.6., *Parking Lot Landscaping*

Interior parking lot landscaping is at best useless, see photos, and at worse takes away the option for having a safe place to walk between rows of cars. Small amounts of landscaping per the photo show how useless it is in providing any visual qualities.

Landscaping between parking rows in large commercial establishments, while sometimes is done nicely, takes away needed space for safe walking. The rows between cars could and should be used for pedestrians to reach the business. Instead, people are forced to walk behind cars which is the same as walking in a street. Leave this section flexible and encourage better pedestrian traffic in parking lots. If this requirement is kept, require the landscaping to be visually effective, not like that shown in the photo.

**Staff Response:** The parking lot interior landscaping shown in the photo would not meet current code let alone the proposed standards in the code rewrite. Proposed standards for minimum landscape units and minimum bed widths should help ensure more visually effective landscaping. Further, standards are being proposed for long landscape beds after every third drive aisle. Although the provision of safe walkways within parking lots is a worthy goal, the provision of parking lot interior landscaping is also important in breaking up the visual impact of extensive paved surfaces and, in some cases, used in the initial treatment of runoff water from the parking lot.

**Staff Recommendation:** No changes recommended.

**33. Issue:** 21.07.080F.6.c., *Perimeter Parking Lot Landscaping*

Recommend the following rewording for clarity and conciseness:

Perimeter parking lot landscaping shall be required for all applicable parking lots [which are] adjacent to a lot line. GENERAL REQUIREMENTS ARE as provided below. [This landscaping shall be provided along applicable lot lines except at approved points of vehicular or pedestrian access, although the entire parking lot frontage, including vehicular or pedestrian access points shall be used to calculate the required landscaping. Where there will be vehicle overhang into the required planting area along any curb edge or wheel stop, add two feet to the required minimum planting area width at these locations.]

i. General Requirement

(A) NONRESIDENTIAL USES ADJACENT TO A RESIDENTIAL DISTRICT, OR MULTIFAMILY USES ADJOINING A SINGLE-FAMILY RESIDENTIAL DISTRICT: L3 BUFFER PERIMETER LANDSCAPING OR AN ORNAMENTAL SCREENING FENCE OR AN ORNAMENTAL SCREENING WALL COMBINED WITH L2 VISUAL ENHANCEMENT PERIMETER LANDSCAPING. [The perimeter of a parking area, which includes its appurtenant driveways, shall utilize the following schedule at the lot line indicated:

(TABLE 21.07-4)]

(B) MULTIFAMILY RESIDENTIAL USES ADJACENT TO MULTIFAMILY RESIDENTIAL USES: L2 VISUAL ENHANCEMENT PERIMETER LANDSCAPING.

(C) PARKING LOTS UNDER 40 SPACES LOCATED WITHIN MIXED-USE AND CBD ZONING DISTRICTS: L1 EDGE TREATMENT PERIMETER LANDSCAPING EXCEPT WHERE ADJACENT TO A RESIDENTIAL DISTRICT WHERE AN ORNAMENTAL SCREENING FENCE OR ORNAMENTAL SCREENING WALL SHALL BE REQUIRED.

[ii.] (D) [Multiple Lots Developed Together]

Where multiple lots are being developed under a common site plan or a joint parking/circulation plan: L2 VISUAL ENHANCEMENT PERIMETER LANDSCAPING [, the parking lot perimeter landscaping along an interior lot line] may be [allowed to be] shared ALONG AN INTERIOR LOT LINE [between the two abutting uses] or waived altogether[, subject to approval by the director].

(E) FOR ANY SIDES OF A PARKING LOT PERIMETER NOT COVERED BY (A) THROUGH (D) OF THIS SUBSECTION, L2 VISUAL ENHANCEMENT PERIMETER LANDSCAPING SHALL BE USED.

**Staff Response:** Staff recommends keeping Table 21.07-4 and not providing an option for an ornamental screening fence and L2 landscaping except in situations where an alley separates the parking lot from abutting residential development. A general allowance of a fencing option would likely be a disincentive to the use of L3 buffer landscaping and an incentive to use a fence with L2 landscaping since the latter option reduces the landscape bed width from 15 feet to 8 feet. The L2 option would also tend to reduce the use of evergreen trees since these are not a required element of L2 landscaping. The department is not in favor of encouraging the widespread use of screening fences.

An additional standard is also proposed to follow up on the Table in order to improve the performance of L2 visual enhancement landscaping when it's being used for parking lot perimeter landscaping. The additional standard would ensure a more continuous planting of shrubs, alone or in combination with a low decorative fence/wall or a landscaped berm, to provide a more strongly defined parking lot edge along streets and sidewalks and more consistent visual buffer against parked vehicles. A low hedge and trees can enhance the public sidewalk and parking lot edge. A soft landscaped berm or decorative wall, fencing and trees can screen views into the parking lot or lessen the appearance of parked vehicles. The continuous visual buffer should not be more than 3 feet high. Staff recommends adding a new provision "ii" under the heading of "Perimeter Parking Lot Landscaping".

**Staff Recommendation:** Page 54, Table 21.07-4 and page 54, line 2. Revise Table 21.07-4 and add a new provision ii (change existing provision ii to iii) to read as follows:

**TABLE 21.07-4: PARKING LOT PERIMETER LANDSCAPING REQUIREMENTS**

Use Of Development Site Based On The Use Of Abutting Or Adjacent Sites	Landscaping Requirement Along The Indicated Lot Line
(A) Nonresidential use abutting a residential use or a nonresidential use adjacent to a residential use directly across an alley	L3 buffer landscaping (1)
(B) Multifamily residential use abutting a single-family residential use or a multifamily use adjacent to a single-family residential use across an alley.	L3 buffer landscaping (2)
(C) Any side of a parking lot perimeter not addressed in (A) or (B) above. [4]	L2 visual enhancement landscaping (3)
<b>NOTE:</b> (1) For the side of a parking lot adjacent to a residential use across an alley, an ornamental screening fence and L2 landscaping may be used in the place of L3 buffer landscaping. (2) For the side of a parking lot adjacent to a single-family residential use across an alley, an ornamental screening fence and L2 landscaping may be used in the place of L3 buffer landscaping. (3) [4] For parking lots with less than 40 spaces located in the DT districts, L1 edge treatment landscaping may be used to meet parking lot perimeter landscaping requirements.	

ii. *Continuous Low Visual Buffer and Edge*

To ensure a defined parking lot edge along community streets and sidewalks, and a more consistent low visual buffer against parked vehicles, a continuous planting of shrubs, a low ornamental fence/wall and/or a landscaped berm should be provided along the length of the landscape bed where parking lot perimeter landscaping is applied along a public street or abutting a residential property. In such cases, a minimum of 0.25 landscape units per linear foot shall be shrubs, earthen berm, or an ornamental fence/wall for parking lot perimeter landscaping abutting a street or residentially zoned lot, not to exceed 3 feet in height.

**34. Issue:** 21.07.080F.6.d.i.(B). and iv., *More than 100 spaces and Landscaping Break for Every Three Drive Aisles*

If section d(i) requires at least ten percent of the parking area be devoted to landscaping why do we need section d(iv)? Why not allow the developer to develop a plan to meets the requirements of d(i) without imposing the additional requirements?

**Staff Response:** The intent of interior parking lot landscaping is to break up large areas of parking spaces. Just requiring a certain amount of interior landscaping does not necessarily fulfill the intent. For the larger lots, a more specific requirement for where the interior landscaping is to be placed is necessary to be sure the intent of the requirement is accomplished.

**Staff Recommendation:** No changes recommended.

**35. Issue:** 21.07.080F.6.d.v., *Minimum Stocking Requirements*

Inadequate stocking requirements: for example, 8 units currently proposed means one 2.5" diameter deciduous tree per 100 square foot. That has no significant visual impact nor other benefit (except a target to flip litter) amid a sea of asphalt, especially when the tree is not in leaf. Propose triple the units per 100 sf. Parked cars are solid masses arrayed in long lines: the landscaping needs some massing or some significant linear continuity, also.

**Staff Response:** The minimum size of a parking lot interior landscaping bed is 150 square feet which typically would be 8 feet wide and approximately 19 feet long. After adding in 6 inches of curbing on each side of the landscape bed, this dimension is approximately the size of one parking space. This 150 square foot bed, which, at 0.08 units per square foot, requires 12 landscape units. The 12 units could be met with one 2.5 inch caliper deciduous tree (@8 units) and five 24 inch deciduous shrubs (@ 0.8 units per shrub). If the smallest allowable landscape materials were used for this bed, it would have two x 2 inch caliper deciduous trees (8 units) and eight x 18 inch shrubs (4 units). Although a tripling of required units for interior parking lot landscaping may be excessive, it may be possible to up the minimum standard slightly, particularly for shrubs. Staff will review a sampling of existing site plans to make a recommendation on this issue.

**Staff Recommendation:** HOLD.

**36. Issue:** 21.07.080F.6.d.vi., *Natural Surveillance and Safety*

Recommend the following rewording for clarity and conciseness:

PARKING LOT INTERIOR LANDSCAPING SHALL ALLOW [G]Good visibility [in parking lots is important] for ]both] security and traffic safety [reasons]. [Plants and trees that restrict visibility, such as tall shrubs and low branching trees, should be avoided. Therefore, p]Parking lot interior landscaping shall[, to the extent reasonably feasible,] minimize vegetation, BERMS, and solid or semi-open fences between three feet and seven feet above grade. [Berms used as part of interior landscaping areas shall not exceed three feet in height.]

**Staff Response:** Although staff agrees that visibility and safety are important considerations in the design of a parking lot, the language of this provision may be used to discourage the use of evergreen trees in any part of the parking lot interior. These trees can have a significant effect in breaking up the expanse of paved areas in a parking lot. Rather than include this provision in the code, the consideration of security and traffic safety in the design of a parking lot should be left to the landscape architect and better addressed within the title 21 user's guide.

**Staff Recommendation:** Page 55, Lines 6-13. Delete this provision from the Title.

**[VI. NATURAL SURVEILLANCE AND SAFETY**

GOOD VISIBILITY IN PARKING LOTS IS IMPORTANT FOR BOTH SECURITY AND TRAFFIC SAFETY REASONS. PLANTS AND TREES THAT RESTRICT VISIBILITY, SUCH AS TALL SHRUBS AND LOW BRANCHING TREES, SHOULD BE AVOIDED. THEREFORE, PARKING LOT INTERIOR LANDSCAPING SHALL,

TO THE EXTENT REASONABLY FEASIBLE, MINIMIZE VEGETATION AND SOLID OR SEMI-OPEN FENCES BETWEEN THREE FEET AND SEVEN FEET ABOVE GRADE. BERMS USED AS PART OF INTERIOR LANDSCAPING AREAS SHALL NOT EXCEED THREE FEET IN HEIGHT.]

**37. Issue:** 21.07.080F.7., *Site Enhancement Landscaping*

Recommend the following rewording for clarity and conciseness:

a. Purpose

Site enhancement landscaping IS INTENDED FOR SITE AESTHETICS, [increases the number of plant materials and seasonal color on open areas of a site,] prevention[s] OF erosion and dust [by covering bare or disturbed areas], and reduction[es and cleans] OF storm water runoff. [It includes foundation plantings, front, side and rear-yard plantings, and common area plantings.] It enhances the appearance and function of the building and site and reinforces its continuity with the surrounding COMMUNITY [properties].

b. Applicability of Site Enhancement Landscaping

All ground surfaces on any development site that are not devoted to buildings, structures, drives, walks, off-street parking, or SNOW STORAGE [other authorized facilities], and not otherwise devoted to landscaping required by this chapter, shall PROVIDE [be planted with] site enhancement landscaping.

c. Specifications for Site Enhancement Landscaping

In any area where site enhancement landscaping is required, a minimum of one landscape unit per 50 square feet (.02 units per ONE square foot) of planting area shall be provided. However, all applicable areas shall, at a minimum, be covered with landscape or hardscape material as provided in table 21.07-1.

**Staff Response:** Staff doesn't agree that the proposed language significantly clarifies the current language. Staff also doesn't agree that designated unpaved snow storage areas of a site don't need to meet site enhancement landscaping standards.

**Staff Recommendation:** No changes recommended.

**38. Issue:** 21.07.080F.7.c., *Specifications for Site Enhancement Landscaping*

Request allowance of rock mulch as suitable ground cover in areas of high activity and yards of persons with allergies.

**Staff Response:** Rock mulch is intended to be used within planting beds but not as a general ground cover. The intent of the code is to encourage landscape plantings in areas of the site not covered by paved parking lots, driveways, walkways, and buildings. Areas of the site subject to site enhancement landscaping can utilize lawn grasses for fairly heavy use or hardscape materials such as pavers in select areas having the heaviest use. Rock mulch used throughout a site would not meet the objectives of site enhancement landscaping and may not necessarily benefit persons with allergies.

**Staff Recommendation:** No changes recommended.

**39. Issue:** 21.07.080F.8., *Trees*

The minimum tree density of 165 landscaping units per acre is about 11 trees or so. If we look at a townhouse development, that can have 60% lot coverage. That leaves 11 trees planted on about 17,000 sf of open space.

The provision of a minimum of three trees per lot is an increase over the one per lot in the previous draft. An immediate reaction is that this is an improvement. A reality is that a homeowner will plant trees if they want them and will park their snowmachine on them if they don't. There will probably be more success with tree retention if more trees are in common open space.

**Staff Response:** The intent of this provision is to have at least a minimum tree standard for new residential lots. A landscaping plan for individual lots and/or the overall subdivision will be required to show the location of trees on individual lots as well as trees located within a common open space area. Although there is always the possibility that some required trees will be damaged or removed and not replaced, most of the trees will likely survive and serve to enhance the residential developments as intended in the code.

**Staff Recommendation:** No changes recommended.

**40. Issue:** 21.07.080G.1.a., *Plant Choices and Quality*

As part of the general landscaping standards, it would be good to mention a preference for materials that are not conducive to moose appetites.

**Staff Response:** There are various threats to the survival of landscape materials such as disease, insects, animals, or invasive plants that need to be taken into consideration when preparing a landscape plan. As these threats seem to constantly change, the best place to address them is the Title 21 users guide rather than in the code.

**Staff Recommendation:** No changes recommended.

**41. Issue:** 21.07.080G.3.b.i., *Construction Fence*

Keep this requirement for a steel fence because orange plastic fencing does not protect plants/trees. During the Goldenview Middle School construction, only those areas protected by the steel fences ended up being protected. The machinery ran over the orange plastic fences.

The restriction of protective temporary fencing to 6 foot steel fencing is too defined and needs to allow for other materials. A chain link warning fence will not stop a bulldozer any better than a plastic warning fence.

The "six-foot high steel fence, such as chain link, on concrete blocks" could be very difficult to place and maintain on rough and varied terrain with existing organic vegetation. By including the "6-foot high orange plastic...secured to the ground with 8-foot metal posts", more flexibility is given to recognize site constraints.

Retain the plastic fence as an option.

**Staff Response:** The steel fencing on blocks has been successfully used whereas the orange plastic fencing has had mixed results.

**Staff Recommendation:** No changes recommended.

**42. Issue:** 21.07.080G.3.c., *Ground Cover*

It is not generally good to mix lawn with tree and shrub plantings in planting beds. The paragraph states that “Mulch shall be confined to planting beds underneath trees and shrubs and is not a substitute for ground cover plants”. There is no way in most planting beds to achieve 100% cover unless lawn is used, because we have very few good quality ground covers. This is especially inappropriate in parking lot islands. Mixing lawn with trees and shrubs in a planting bed is generally a bad idea. A better way might be to say that in planting beds trees and shrubs must provide a total coverage of 75% in three years. Further, there are a variety of other mineral mulches that include white marble and other colored rock, which is less than 3” inches in diameter. Why is it so prescriptive that it requires “river rock” at least 3” in diameter?

Rock mulch is restricted to 3 inch and larger stones, what is the reason for this specificity?

**Staff Response:** Staff agrees with taking out language which implies that planting beds must have continuous ground coverage within three years. The statement regarding mulches will also be revised to allow other types of mineral mulches.

**Staff Recommendation:** Page 58, Lines 24-31. Revise this paragraph as follows:

**Ground Cover and Mulches**

Planting beds containing of trees and shrubs shall use mulches. These mulches may consist of shredded bark, or mineral mulches such as river rock, white marble and other colored rock with at least a one inch diameter. For areas of the site outside of planting beds and subject to site enhancement landscaping, ground cover plants such as lawn grasses shall be planted to provide continuous ground coverage within three years.

[ALL OF THE LANDSCAPED AREA THAT IS NOT PLANTED WITH TREES AND SHRUBS SHALL BE PLANTED IN GROUND COVER PLANTS, WHICH MAY INCLUDE GRASSES. GROUND COVER PLANTS SHALL BE PLANTED AT A DENSITY THAT WILL PROVIDE CONTINUOUS GROUND COVERAGE WITHIN THREE YEARS. MULCH SHALL BE CONFINED TO PLANTING BEDS UNDERNEATH TREES AND SHRUBS AND IS NOT A SUBSTITUTE FOR GROUND COVER PLANTS. MULCH MAY CONSIST OF SHREDDED BARK OR ROCK MULCH SUCH AS RIVER ROCK WITH AT LEAST A THREE INCH DIAMETER.]

**43. Issue:** 21.07.080G.4.b., *Surety*

ASD already requires a 100% Performance and Payment Bond of its contractors. This is retained to cover any warranty work over the two years or required maintenance and

warranty. Is there a difference between public and private project requirements which warrant this 120% surety bond? Is it redundant on public projects? And, if so, does it add unnecessary costs to the project?

**Staff Response:** The 120% surety bond is proposed since it takes into account possible increases in the cost of installed landscape materials that may need to be replaced over a two year period.

**Staff Recommendation:** No changes recommended.

**44. Issue:** 21.07.080G.6., *Maintenance and Replacement* and 21.07.080G.4., *Installation of Landscaping*

This section requires that any tree which dies must be replaced in kind. Is this requirement subject to species or is height and caliper also a factor?

**Staff Response:** Replacement of a tree that dies should be with the same type and size of tree that is shown on the approved landscape plan for the site. If a large tree shown on the landscaping plan cannot be replaced with a new tree of the same size, the replacement can be a smaller tree of the same type but the total landscape units lost with the loss of the large tree shall be restored with other landscape materials in the same planting bed.

**Staff Recommendation:** Page 59, Lines 23-33 (Maintenance and Replacement) and a reference to Page 59, Lines 15-18 (Survival). Revise Lines 23-33 and provide a reference in the Survival section in Lines 15-18. These revisions are as follows:

## 6. Maintenance and Replacement

**a. Maintenance**

Trees, shrubs, other vegetation, irrigation systems, fences, and other landscaping, screening, and fencing elements shall be considered as elements of a development in the same manner as other requirements of this title. The property owner shall be responsible for regularly maintaining all landscaping elements in good condition. All landscaping shall, to the extent reasonably feasible, be maintained free from disease, weeds, and litter. [PLANTS THAT DIE SHALL BE REPLACED IN KIND.] Any landscape element that dies, is removed, or is seriously damaged shall be replaced with the same type and size landscape element that is shown on the approved landscape plan for the site. In addition, the landscape units lost with a dead or removed tree shall be recovered through a replacement tree and other plantings as needed to recapture the total required landscape units that were lost. The replacement landscape units shall be applied to the same planting bed as the tree that was lost. All landscaping, screening, and fencing materials and structures shall be repaired and replaced when necessary to maintain them in a structurally sound condition. Pruning shall not alter the natural characteristics of a tree.

### c. *Survival*

Any landscape element that dies, is removed, or is seriously damaged shall be replaced, based on the requirements of [THIS SECTION] 21.07.080G.6.a before the following August 31.

**45. Issue:** 21.07.080H., *Screening*

The section requiring screening of “ground mounted mechanical equipment and utility fixtures” was deleted. Chugach Electric had surmountable objections to it. Some sort of screening should be reinstated.

**Staff Response:** The practical application of screening ground mounted equipment is difficult. The equipment is usually located on an easement next to the right-of-way. The utility companies require at least 10 feet of clear area on the sides that open. Requiring screening or landscaping on the side facing the street pushes the entire equipment and easement farther onto someone’s property and away from the street. Adding at least ten feet of clearance area on the side the opens, and five or six feet of clearance on the other non-opening sides of the utility box can be a significant increase in the amount of land needed for one of these installations, particularly since these facilities are located in an easement.

**Staff Recommendation:** No changes recommended. .

**46. Issue:** 21.07.080H., *Screening*

There is a major decrease in the requirement for screening of dumpsters, mechanical equipment, meters, and other unsightly building features from 80% to 50%. I do not see this as a beneficial change and would like to see the high screening percentage maintained.

**Staff Response:** The decreased screening requirement (from 80% to 50% if landscaping is used) applies only to screening of wall-mounted mechanical equipment and meters. It does not apply to dumpsters or “other unsightly building features”. Since this provision involves building-mounted equipment, it is being moved to the building design sections of chapter 21.07.

**Staff Recommendation:** Page 61, 21.07.080.H.4. Delete this section from the landscaping section in 21.07.080 and insert in into the Public/Institutional and Commercial Design Standards of 21.07.110 and possibly the Residential Design Standards (multifamily) of 21.07.100 and LargeCommercial Establishments of 21.07.120.

**47. Issue:** 21.07.080H.2., *Refuse Collection*

Recommend that “snow” be deleted or describe how an enclosure for a refuse collection receptacle will avoid problems with “snow”.

Recommend that “pests” be defined or deleted, as enclosures themselves will not avoid problems with “pests”. Most “pests” can be identified as rodents, birds, cats, and dogs. These animals only present problems when refuse is spilling onto the ground, refuse is over stacked, and/or the receptacle lids remain open.

Refuse collection receptacles would serve as a deterrent for bears if properly constructed and gates remain closed.

Suggest that “unobtrusive” be defined or more clearly described as it is subjective and may become unenforceable in some instances.

Suggest that “convenient” be associated with a particular entity. “For whom is it to be “convenient”, developer, resident, service provider, etc?

**Staff Response:** Staff agrees that the initial paragraph in section 21.07.080H.2 should be rewritten for more clarity. In addition, a new subsection “b” is proposed which will require the location of refuse collection receptacles and screening structures for these receptacles, if applicable, to be shown on the site plan for the development. This is to help ensure that receptacle locations and adequate access to these receptacles by collection trucks is taken into account for the site.

**Staff Recommendation:** Page 60, Lines 8-12. Revise this paragraph and add a new paragraph "b" to read as follows:

## 2. Refuse Collection

In order to improve the image of the municipality's streets[, AND] neighborhoods, [TO REDUCE THE VISUAL IMPACTS OF] and multifamily and nonresidential development, [AND TO AVOID PROBLEMS WITH BLOWN TRASH, SNOW, AND PESTS,] refuse collection receptacles shall be adequately screened from abutting streets and properties. These receptacles shall also be located where they can be conveniently and safely accessed by the intended users and by refuse collection vehicles. [AND LOCATED IN UNOBTRUSIVE YET CONVENIENT LOCATIONS.]

**b. Site Plans**

For refuse receptacles requiring screening in this section, site plans for new development shall include the proposed location and type of screening that will be used and the access provisions for service trucks. The site plan shall also include design details of refuse receptacle screening structures.

**48. Issue:** 21.07.080H.2., *Refuse Collection*

Suggest that a review of A.M.C. Title 26.70 and Title 15.20 be performed to identify potentially conflicting requirements.

Solid Waste Services and Alaska Waste agree with Alaska General Contractors of Alaska's response to the proposed standards by stating, "This entire section needs to be reconsidered. It is cost prohibitive, ill-conceived, and does not provide adequate remedies for existing properties."

**Staff Response:** Anchorage Municipal Code 26.70 states that solid wastes shall not, except on the scheduled collection day, be stored on or in view from any public street. Conversely, AMC 15.20 B.5.f states that dumpsters are exempt from regulations governing the storage or maintenance of refuse containers in front or side yards and visible from public streets or alleys. The proposed screening requirements of 21.07.080H prohibit the storage of dumpsters in a required front setback. The Title 21 standards also address screening enclosures of dumpsters visible from abutting public streets and abutting land uses. Whereas Title 15 addresses public nuisances, Title 21 goes a step

further in addressing the appearance and image of street corridors and the reduction of visual impacts of incompatible uses and activities upon adjacent properties. Although the two Titles may have different language regarding dumpsters, none of the standards conflict, and the stricter provisions of Title 21 should govern.

Early on in the diagnosis and annotated outline phases of the Title 21 rewrite project, the issue of unsightly dumpsters and need for dumpster screening was raised by the public. The project consultants at the time also got the go-ahead from the Anchorage Assembly to move forward in addressing the issues identified in the diagnosis and annotated outline. From that standpoint, it is difficult to characterize the proposed standards as ill conceived. The cost to screen dumpsters will vary widely depending on the site involved. In some cases, moving the dumpster to where it isn't visible from a public street or abutting property may be sufficient to meet the standards of this section. The comment regarding the need for remedies for existing properties has some merit in that some lots were created before certain sections of the current code were adopted, such as landscaping or parking standards. As such, the lots are already tightly packed with site improvements such as the building and parking, with possibly little room left for a dumpster enclosure. For these cases, an administrative variance process is proposed to enable a property owner to show how a strict application of the refuse receptacle screening standards would negatively affect other Title 21 requirements of the site such as minimum parking standards. The property owner can propose an alternate design which may not fully screen the receptacle enclosure in the strict compliance of 21.08.080H, but allows the site to meet its minimum parking requirements.

**Staff Recommendation:** Page 61, Line 15. Recommend a new subsection 21.07.080H.2.d. to read as follows:

**d. Procedure for obtaining an administrative variance for refuse receptacle screening**

A. The planning director may grant an administrative variance from the screening and setback requirements of 2.c above for refuse receptacle screening, provided:

1. The site was developed prior to the effective date of landscaping and screening standards of this chapter
2. A strict compliance with refuse receptacle screening requirements in 21.07.080H would result in reducing the parking spaces on the site below the minimum requirements of 21.07.090, and available reductions and alternatives in 21.07.090F have been considered.
3. There is no reasonable conforming alternative to the variance.
4. If the setback variance affects a required landscaping bed, the total required landscape units for the bed will not be reduced.
5. Any setback variance does not result in an encroachment into a public right-of-way, and

B. The director shall make written findings and conclusions for each administrative variance request.

C. If the request for an administrative variance is denied, the applicant may apply for a variance under 21.03.240.

**49. Issue:** 21.07.080H.2., *Refuse Collection*

There are requirements for trash capacity inside and outside buildings. I would like to see similar requirements for recycling collection and storage inside and outside buildings. Commercial recycling collection in Anchorage is increasing and should be required in the future. Space to accommodate voluntary recycling efforts in commercial and multifamily buildings should be reflected in the code. If relevant, recycling capacity could also be reflected in the Design Standards Manual.

**Staff Response:** The department does not favor mandatory recycling collection and storage locations at this time, as recycling is optional and will likely remain so for some time. Recycling requirements are guided by the city's recycling plan, as adopted by the Assembly.

**Staff Recommendation:** No changes recommended.

**50. Issue:** 21.07.080H.2.a., *Residential Dwellings*

Single-family (attached and detached), two-family, townhouse, and three-unit multifamily dwellings that are currently receiving dumpster service will be required to use can/bag service which will result in a reduction in revenue for the service providers. This will also present an opportunity for inadequate refuse storage for the multifamily dwellings which is common for those that do not currently use dumpsters.

**Staff Response:** Site planning for these types of residential uses rarely, if ever, considered dumpster locations. Dumpsters for these uses are often located illegally within the public right-of-way, block sidewalks, and/or line the streets. Neighborhood aesthetics should not be sacrificed for the revenue stream of garbage hauling companies. The changes in refuse pick-up technology such as roll carts may also be a viable option to dumpsters for single-family, two-family, and three-family residential buildings. Four-unit multifamily units are also being recommended by staff to not be allowed to receive dumpster service.

**Staff Recommendation:** Page 60, lines 13-15. Revise this section to read as follows:

**a. *Residential Dwellings***

Single-family (attached and detached), two-family, townhouse, [AND] three-unit multifamily dwellings and four-unit multifamily dwellings shall not have dumpsters.

**51. Issue:** 21.07.080H.2.b.i., *Applicability*

This would require all dumpsters within areas where they currently abut an alley and are directly across the alley from a residential zoning district to have screening. Screening and/or enclosures in the alleys would be virtually impossible to service and be prohibited due to unavailable or adequate space on private property.

**Staff Response:** The department is proposing to amend this provision so that dumpsters in alleys won't require screening, primarily because of the limited space and need for adequate access by refuse trucks.

**Staff Recommendation:** Page 60, lines 20-22, amend to read, “Refuse collection receptacles that abut an alley [AND ARE NOT LOCATED DIRECTLY ACROSS THE ALLEY FROM A RESIDENTIAL ZONING DISTRICT] are exempted from the screening standards of this subsection.”

**52. Issue:** 21.07.080H.2.b.ii., *Location*

Prohibiting dumpsters in the “front setback” would create a host of access and safety concerns as refuse collection vehicles with a gross vehicle weight rating (GVWR) of 66,000 lbs. or more would be required to travel onto private property.

This would also prohibit dumpsters for nonresidential uses to be located in the “side” and/or “rear” setbacks when the property abuts residential or mixed-use properties.

Loading areas often serve as desired locations for dumpsters as they are usually large, open areas that allow access of large commercial vehicles and would require screening as described within this chapter (21.07.080.H.3.a).

Therefore, nonresidential property would be required to locate dumpsters not within the front setback, side setback, rear setback, set back from the front plane of the principal structure, and not in any area used to meet the minimum landscaping, parking and/or loading area requirements. However, it is required to comply with 21.07.080.H.2 that states it “shall be adequately screened and located in unobtrusive yet convenient locations.” This might be better written if it is identified where the dumpster is to be located rather than where it prohibited.

**Staff Response:** Due to the wide variety of site configurations and development plans, it is more reasonable to state where a dumpster is not allowed to go, than where it is allowed. There are too many instances in town of dumpsters lining the streets and often blocking sidewalks. Dumpster location should not be an afterthought of a development, but rather should be a vital element from the first stages of planning a site. Staff agrees that dumpsters should be allowed in loading areas, as long as vehicle maneuvering space and loading berth requirements are not adversely affected.

**Staff Recommendation:** Page 60, Lines 30-41. Amend this paragraph to read as follows:

“Location

Outdoor refuse collection receptacles shall not be located in a required front setback, and shall, to the extent reasonably feasible and depending on the size of the site and need for access by refuse collection vehicles, be set back from the front plane of the principal structure. [REFUSE COLLECTION RECEPTACLES FOR NONRESIDENTIAL USES SHALL NOT BE LOCATED IN ANY SETBACK AREA WHICH ABUTS A RESIDENTIALLY ZONED LOT OR MIXED-USE DISTRICT WITH A RESIDENTIAL USE.] Refuse collection receptacles shall not be located within any area used to meet the minimum landscaping or parking requirements and loading [AREA] berth requirements of this chapter, or be located in a manner that obstructs or interferes with any designated vehicular or pedestrian circulation routes onsite.”

**53. Issue:** 21.07.080H.2.b.iii., *Screening Enclosure*

The term “durable” is subjective it should be further defined.

Requiring gates “where the access to the enclosure is visible from abutting public streets or abutting residential properties, the access shall be screened with a sight obscuring gate”, is expected to create the following problems:

- The minimum width (20'-0) of the enclosure to accommodate (2) two industry standard dumpsters (1 for refuse & 1 for recycling) would make it very difficult to maintain swinging gates in working order. To resolve this issue, (2) two enclosures with a minimum width of (12'-0) would be required.
- With those enclosures that are required to have gates, it would be necessary to identify who is responsible for opening gates prior to service. This would certainly become an issue of debate as customers in the MOA mandatory service area are required to open gates. Whereas, customers that reside in all other areas and have gates that require opening are either opened by the customer or the service provider. Service providers that open enclosure gates are exposed to increase injuries from exiting and entering the cab of the collection vehicle, slip and falls while outside the cab, and risk property damage if the gates are not secured open while removing, dumping, and replacing the dumpster. This would also effect productivity and result in increased service rates. The inefficiencies created by opening, securing, and closing gates would require the purchase of addition refuse collection vehicles and increase of staff.
- Recommend that gates be deleted if a screening enclosure is necessary to meet the standards of this subsection. Three sided enclosures are sufficient if refuse containers are properly maintained and customers are held responsible for unsightly conditions, dumpsters are over stacked, or fail to close the lids of the dumpsters. These situations would be addressed by standards established in A.M.C. Title 15 (Public Nuisance).
- Recommend that solid waste professionals provide minimum standards for dumpster enclosure dimensions and performance.

It is doubtful that such gates will withstand weekly heavy equipment abuse for very long. Is assigning MOA zoning enforcement staff to monitor ASD's 90 schools, in addition to the many other installations in Anchorage, a wise use of public funds? The intent is good, but the reality may obviate the intent.

Reconsider practicality and appearance over time.

**Staff Response:** If the open side of a dumpster enclosure is not facing a public street or an abutting residential use, then it won't require a gate. Above in issue #51 dumpsters located along alleys are exempt from the dumpster screening requirements. As recommended in issue #47, new site development will be required to show on a site plan the location of a dumpster enclosure and adequate space for truck access to the dumpster. Where this requirement may become an issue is on small existing sites, e.g., multi-family residential development that lacks adequate space on-site to locate a dumpster enclosure with the open end turned away from public streets or abutting residential development. When gates are required, it isn't clear why the property owner shouldn't be responsible for ensuring the gates are open on pick-up days for access by the service trucks. This is already required in AMC 26.70.050.H and should apply throughout the Municipality.

Staff supports the recommendation for working with solid waste professionals to develop standards and guidelines for dumpster enclosures. This information can be included in the Title 21 user's guide.

**Staff Recommendation:** No changes recommended

**54. Issue:** 21.07.080H.2.b.iv., *Maintenance of Refuse Collection Receptacles*

A literal reading of this section could lead to an interpretation that the receptacle can only be opened at pick-up since it requires that receptacles remain closed between pickups.

Therefore janitors could not use it for trash bags at other times. It could be argued that is not the intent of this section, but if not, this section should be rewritten.

Screening enclosure prohibited from being constructed with roof structures, as refuse receptacles are extremely difficult to service with industry standard equipment and frequently results in property damage.

Delete the requirement for lids of receptacles to remain closed between pick-ups as this is not a design standard and should be addressed by the standards established in A.M.C. Title 15 (Public Nuisance).

**Staff Response:** Revisions can be made to the wording of this section to further clarify the intent. It is important that receptacle lids remain closed as much as possible to prevent wildlife from getting into the garbage, as well as precipitation. Language regarding keeping receptacle lids closed can be included in Title 21 as a standard affecting visual quality of a site, whereas items in Title 15 address public nuisances.

There are good examples around the municipality of roofed enclosures for refuse receptacles, but the rewrite does not require a roof.

**Staff Recommendation:** Page 61, Lines 6-9. Amend this provision to read: "The lids of receptacles in screening enclosures without roof structures shall remain closed except when being accessed by users or refuse service trucks [BETWEEN PICK-UPS], and shall be maintained in working order.

**55. Issue:** 21.07.080H.2.c., *Amortization of Nonconforming Refuse Collection Receptacles*

Since these requirements must be incorporated for all receptacles within five years, it will be expensive for many businesses to comply. Prior to adoption, AGC would recommend the MOA do a cost benefit analysis on this section. In addition, the MOA should inquire whether it is possible to make the appearance of the receptacles visually acceptable or is a six foot screening enclosure the only acceptable alternative.

This requires the need for an effective review process, exemption process, and enforcement resources for those properties that fail to, or are unable to conform to the standard as written.

Any amortization term will be difficult for the School District. We have over 90 facilities, the majority of which do not comply with the proposed screening requirements. The District would have to present a bond issue to the voters. It is highly unlikely voters would approve dumpster screening when it is often difficult to have them approve

schools for unhoused students. Question—does this cover existing or only refer to new? Exempt the School District or extend amortization period to 10 years or more.

**Staff Response:** The five-year amortization period would only apply to those situations in which a dumpster can only be screened from public streets and abutting properties through the use of a screening enclosure and other screening options aren't available. For example, dumpsters located behind a building and not visible from a street and screened from an abutting property by existing vegetation may already meet the screening requirements and not require a screening enclosure. For existing overbuilt sites, issue #48 recommends an administrative variance process which would provide a property owner with an opportunity to document how the application of screening enclosure requirements would adversely impact other Title 21 requirements of the site (e.g., minimum parking requirements) and to present a screening alternative. Although a cost-benefit study may be useful in the discussion of an amortization period, it wouldn't likely be helpful in the discussion of why screening of refuse receptacles is important for community aesthetics. In response to the question regarding school facilities, it would not be equitable to exempt certain public facilities from enclosure screening requirements while imposing the requirements on private development. The length of amortization period will be the subject of further discussion by the Planning and Zoning Commission and the Municipal Assembly.

**Staff Recommendation:** No changes recommended.

**56. Issue:** 21.07.080H.3., *Service and Off-Street Loading Areas*

Screening of off-street loading areas is completely impractical. Please explain how you would purpose to screen the loading area of Fred Myers on Dimond. Screening creates security, fire access, maintenance, snow removal and trash removal problems. Since many of these loading docks are used to unload large trailers, they require considerable room for the truck to maneuver. If this entire area is intended to be screened, the building owner will incur a considerable addition cost that adds no useful function to the facility. Prior to implementation, this provision should be discussed with property owners and truckers.

**Staff Response:** There are numerous situations in the municipality where commercial areas, usually along arterials, also abut residential areas located behind those commercial developments. This circumstance occurs in several locations along Dimond Blvd—Fred Meyer and Carrs being two major examples. As the main entrances usually face the street, the loading areas are in the back, adjacent to residential areas. Many large stores, particularly supermarkets, receive deliveries at night. It is very important that these areas be screened from the residential neighborhoods, both for noise attenuation, and for the visual aspects.

**Staff Recommendation:** No changes recommended.

**57. Issue:** 21.07.080H.4.b., *Standard*

The School District has many wall-mounted exhaust vents on its schools projecting more than 6" from the wall. Wall locations are better than roof, where possible because snow

piles do not obstruct their function. Most of the vents are treated in an aesthetic manner and are usually limited to schools' service areas. Consider a kitchen exhaust 16' up high on a wall screening this would be very difficult and make it more prominent than if it were incorporated into the elevation in a logical aesthetic manner. For a good example of this latter treatment, see the Technology education and art room vents at the northeast end of the new South Anchorage High School.

Revisions exempting intake and exhaust vents are more reasonable. It does not address gas and electrical service meters projecting more than 6". Discretion should be given to the director to waive requirement on a case-by-case basis.

**Staff Response:** This section already exempts intake and exhaust vents, and utility meters (e.g., electric and gas) if in groups of less than four. The standard requires screening when the wall-mounted mechanical equipment is visible from abutting public streets and residential, public, and institutional properties. If the equipment is installed in a location that is internal to the site and not visible from the above-mentioned locations, then no screening is required. Some schools, for example, already have substantial forested buffers located between the schools and abutting residential development which would meet the standards of this section.

Since this section is more applicable to building design standards, staff recommends that Section 21.07.080H.4 be moved to 21.07.110 Public/Institutional and Commercial Design Standards and also addressed in 21.07.100 Residential Design Standards (for multifamily residential) and 21.07.120 Large Commercial Establishments.

**Staff Recommendation:** Page 61, Lines 31-45, Wall-Mounted Mechanical Equipment and Meters. Delete this section from the landscaping section 21.07.080 and move to 21.07.110 Public/Institutional and Commercial Design Standards. Also address these standards in 21.07.100 Residential Design Standards (for multifamily residential) and 21.07.120 Large Commercial Establishments.

## 58. Issue: 21.07.080I., *Fences*

In B-1A, fences in front set-backs are not to be higher than 3 feet. Fences have proven to be good separation between parking areas and sidewalks. The "Iris" fences on 5th and 6th Avenues in the downtown are four feet high. I believe that fences of a similar nature would be appropriate in much of Mid-Town and are promoted as part of the draft Mid-Town plan. Four feet is a comfortable height in establishing the separation. I would suggest raising the bar a little.

**Staff Response:** Three feet is at or just below the waist of many people. It provides an obvious separation barrier, but does not intrude into the area of arm movement. People can still shake hands over a three foot fence. On a woman of average height, four feet comes to the elbow. The department considers a three foot fence to allow a separation while also meeting the intent of a pedestrian-friendly street-front.

**Staff Recommendation:** No changes recommended.

**59. Issue:** 21.07.080I., *Fences*

Another area is front yard fences in residential districts. I believe the new Title 21 will allow fences no higher than 4-feet in front set-backs. I would suggest this might vary depending on the type of street they front on and the way frontage is determined. The attached photograph is an attractive affordable housing development in Seattle. There are a lot of kids in the development and it fronts on a busy arterial, although access is from another part of the site. The fence along the arterial is six-feet in height, but provides some sound attenuation and a protective barrier to the street. Perhaps there could be some relief for residential that fronts on minor arterial or greater.

**Staff Response:** The department does not agree with allowing taller fences in front setbacks along minor arterials or greater.

**Staff Recommendation:** No changes recommended.

Attachment: Table 21.07-2: Applicability of Site Perimeter Landscaping



## Attachment

**TABLE 21.07-2: APPLICABILITY OF SITE PERIMETER LANDSCAPING**  
**Required Level of Site Perimeter Landscaping (Levels 2, 3, or 4)**

Abutting District or Street District Of Proposed Development	R-6, R-8, R-9, R-10, TA	R-1, R-1A, R-2A, R-2D, R-5, R-7	R-2M, R-2F	R-3	R-3, R-4, R-4A	PLI	NMU, CMU, RMU, B-1A	RMU, MT-1, MT-2	B-3, RO	I-1, MC	I-2, MI	PR	Freeway [1]	Arterial, Expressway	Collector	Local Street
R-6, R-8, R-9, R-10, TA		L3	L3	L3	L3	L3	L3 L2	L3	L3	L3	L3		L4			
R-1, R-1A, R-2A, R-2D, R-5, R-7	L3		L3	L3	L3	L3	L3	L3	L3	L3	L3		L4	L3	L2	
R-2M, R-2F	L3 L2	L3 L2				L3	L3	L3	L3	L3	L3		L4	L3	L2	
R-3	L3	L3 L2	L2			L3	L2 L3	L3	L2 L3	L3	L3		L4	L3	L2	L2
R-3, R-4, R-4A	L3	L3 L2	L3			L3	L2 L3	L3	L2 L3	L3	L3		L4	L3 [3]	L2 [3]	L2 [3]
PLI	L3 L2	L3 L2	L3 L2	L3 L2	L3 L2		L2	L2	L2	L2	L2	L2	L4	L2	L2	L2
NMU, CMU, RMU B-1A [2]	L3 L2	L3	L3	L2 L3	L2 L3	L2			L2	L2	L2	L3	L4	L2 [3]	L2 [3]	L2 [3]
RMU, MT-1, MT-2	L3	L3	L3	L3	L3					L2	L2		L4			
B-3, RO [2]	L3	L3	L3	L2 L3	L2 L3	L2	L2		L2	L2	L3	L4	L2	L2	L2	L2
I-1, MC	L3	L3	L3	L3	L3	L2	L2	L2	L2		L3	L4	L2	L2	L2	L2
I-2, MI	L3	L3	L3	L3	L3	L2	L2	L2	L2		L3	L4	L2	L2	L2	L2
PR	L2	L2	L2	L2	L2	L2	L3		L3 L2	L3 L2	L3 L2		L4	L2	L2	L2
AF	L3	L3	L3	L3	L3	L2	L2	L2	L2			L2	L4	L2	L2	L2

**NOTES:** [1] Refer to subsection c.; [2] Refer to subsection d.; [3] Refer to subsection e..