

STAFF REPORT
ZONING ORDINANCE TEXT AMENDMENT
RELATED TO THE DEFINITION AND SCREENING OF MECHANICAL UNITS
NOVEMBER 10, 2009

Mechanical units are defined in Section 29.201(116) as “a climate control device and/or a piece of hardware used for the delivery or measurement of utilities.” The City’s zoning ordinance generally requires the visual screening of mechanical units. These screening requirements are described in various sections of the zoning code, with slight to significant differences in the requirements. For example, screening requirements in the General Development Standards - which apply to all zones - regulates mechanical units seen from ground level. However, standards in the Convenience Commercial Node (CVCN) District and in the Gateway Overlay Districts regulate mechanical units seen from adjoining properties or streets at any level. Having these standards described separately in these different zoning districts results in both redundancy and inconsistency among standards.

The application and enforcement of these standards has not been consistent, perhaps because of the inconsistencies in code language, and perhaps because of practical difficulties in applying existing standards. For example, the requirement to screen mechanical units as seen from any abutting property is difficult because neither the applicant nor City staff can verify if a unit is seen from, say, an upper-floor balcony of an adjacent private living unit. Moreover, the combination of both topography and distance may result in overlooking the visibility of a unit that technically is visible, but which may be less noticeable in the larger panoramic view of an area. Additionally, some things may have been overlooked due to uncertainty over the definition of a mechanical unit.

Staff is therefore requesting Council’s input on amendments that could be made to the existing standards to clarify these screening requirements. This will require discussion on the **intent and purpose** of screening requirements and a review of how the standards have been applied. Staff will present pictures of various projects and how screening of mechanical units have been handled. **Staff is seeking Council’s input on the effectiveness of existing codes, and the degree to which mechanical units should be screened. Based on Council’s input, zoning code amendments will be drafted to reflect Council’s sentiments on this issue.**

To facilitate this discussion, existing code language pertaining to mechanical units is provided in attachment A. City Council members are also invited to observe existing mechanical unit screening around the City prior to Tuesday evening’s meeting.

Planning & Zoning Commission Review:

The Planning & Zoning Commission discussed this issue at its October 21st meeting. Various points of view were expressed on the purpose, implications, and value of the requirements. Comments ranged from concerns over the increased burden to the developer to meet the requirement, to the importance of minimizing visual clutter along street and entry corridors. After lengthy discussion, the Planning & Zoning Commission took no official action, but expressed the following individual comments (extracted from the minutes) which collectively supported the retention and enforcement of existing regulations.

Elizabeth Beck said she doesn't have a problem with a different screening requirement [for each zone] if that is what we choose to do because we have different zones. She said she cannot see trying to work out a deal where you have to decide how far away you have to be from a certain building in order to fully cover or screen a mechanical device.

Jeff Johnson said what he is hearing is that enforcement is tough, but what he likes about this is awareness. He said we can't enforce awareness, but we can talk about it so people can take this into account as they plan for new development and renovations. He said the places he is most interested in are the entrances into Ames because this is where people get their first idea of what our community looks like. He said we are not a planned community, but thinks we can raise our awareness and hopefully take a little more interest in not having so much aesthetic clutter. He said he also thinks enforcement is going to be tough. We could create a whole other set of hurdles, but we already have something on the books that the City has to either enforce or remove. He said this isn't something that is new – what is being asked is how we clean it up. He said he cares about the visual aesthetics and our city, and is for anything that we can slowly do to clean up some of the clutter.

Justin Platts said for him it is important that people are not able to see these units from the public rights-of-way. It clean things up and it typically helps with some noise attenuation, which is probably not a big deal on Lincoln Way or South Duff because of the traffic. However, in some of the areas like Somerset it could make a difference. He said it also helps with the level of predictability for people that are going to be buying or doing business in areas next to buildings with these types of units. He said land uses should also be a determining factor. General Industrial probably doesn't need a high level of screening, but it is important to have a higher level of screening in areas along Duff, Lincoln Way, and some of the more planned unit development areas. He further stated that a building permit shouldn't be issued unless this has been achieved.

Norman Cloud said the biggest thing for him is consistency. Right now the existing language is forcing new construction to have a greater screening requirement to get building permits, while existing businesses or existing land uses from 20 years back have mechanical units stuck all over them. He said the other thing with consistency is the recent discussion we had regarding aesthetics pertaining to alternative energy

systems up on roofs, so moving forward we have to decide what is acceptable to be seen above the roof lines and out in people's front lawns.

Chuck Jons said he doesn't see that there is a big push at this time to rewrite the current code, and would like to see the City consistently enforce the code as it is currently written.

Norman Cloud said he thinks the problem is that we have a code and people are questioning why they should comply when others haven't, and doesn't know if the City has a legal leg to stand on.

Jeff Johnson said just as this community addresses light pollution, this is addressing aesthetic pollution and to him this is aesthetic pollution.

Justin Platts said he thinks the current language in the code is good – we just need to enforce it. If we find that it is still not good enough, then we can talk about it more. But everything that we have talked about for the most part is here – we don't specifically say public rights-of-way, but we do say every public street and sidewalk, so let's enforce it and see what happens.

Keith Barnes said basically what we are saying is leave what we have on the books and enforce it, and if we see problems through the enforcement, we'll come back and address it then.

ATTACHMENT “A”

Section 29.201(116) (From the Definition Section)

(116) **Mechanical Unit** means a climate control device and/or a piece of hardware used for the delivery or measurement of utilities.

Section 29.408(4) (General Development Standards - Applicable City-wide)

(4) **Mechanical Units.** For all uses, except for single-family and two-family dwellings, all mechanical units located on the ground, such as cooling or heating equipment, pumps or generators shall be substantially completely screened from the street and any abutting residential properties by a partially sight obscuring fence and/or shrubs. Such fence and/or shrubs shall be at least six inches higher than the height of the mechanical equipment. All mechanical equipment mounted on roofs, or on the walls of buildings, shall be completely screened from the ground level of any abutting residentially zoned lot and substantially screened from all other adjacent properties at any level, with materials that are consistent with the architectural materials used on the exterior of the building.

Section 29.807(5) (Pertaining to the CVCN District)

- (5) **Mechanical Equipment.**
- (a) Comply with the standards of this section for all:
 - (i) cooling or heating equipment,
 - (ii) pumps
 - (iii) generators
 - (iv) communications equipment
 - (v) utility cabinets
 - (vi) others such mechanical equipment
 - (b) Locate and screen such mechanical equipment so it is not visible from adjoining properties or public streets or sidewalks and to minimize acoustic impacts of this equipment in these areas.
 - (c) Screening shall be integral and consistent with the overall design of the building and the landscape. At a minimum, screening materials shall meet the L3 or F2 standards set forth in Section 29.403.
 - (i) shall include materials of the same type, quality and color as the principal materials of the building or landscape, and
 - (ii) at the time of installation, shall be at least six inches higher than the height of the mechanical equipment.

Section 29.1107(5) (Pertaining to the Southeast Entryway Gateway Overlay District):

(5) Design Standard. The following guidelines involve exterior building materials, minimum roof slopes, entrances and signs.

. . .

(g) Garbage Collection areas and Mechanical Units shall be screened pursuant to Section 29.408(3) and (4) of this ordinance except that:

(i) Trash receptacles for use by customers are exempt.

(ii) All mechanical equipment shall be completely screened from the ground level of any adjacent property with architectural materials that are consistent with those used on the primary building.

(h) Electrical and utility meters shall be located on the rear façade or on a non-street facing side façade provided they are located behind the centerline of the side of the building.

. . .

Section 29.1109(10)(g) (Pertaining to the O-GNE Northeast Entryway Gateway Overlay District)

(g) Locate drive-through windows, menu boards, ~~mechanical equipment~~, and associated stacking lanes to minimize impacts on other areas of the development site, as well as impacts on adjacent properties. Such site features are to be integrated with the building design and screened from off-site property.

Section 29.1112(7) (Pertaining to the Southwest Gateway Overlay District)

(7) Mechanical Equipment

(a) Comply with the standards of this section for all

(i) cooling or heating equipment

(ii) pumps

(iii) generators

(iv) communications equipment

(v) private utility cabinets

(vi) meters

(vii) others such mechanical equipment

(b) Locate and screen such mechanical equipment so it is not visible from adjoining properties or public streets or sidewalks and to minimize acoustic impacts of this equipment in these areas.

(c) Screening shall be integral and consistent with the overall design of the building and the landscape. At a minimum, screening materials shall meet the L3 or F2 standards set forth in Section 29.403.

(i) shall include materials of the same type, quality and color as the principal materials of the building or landscape, and

(ii) at the time of installation, shall be at least six inches higher than the height of the mechanical equipment.