**Text of December 16, 2021 email**

Mickey,

Thanks for your patience as I’ve been out with COVID. First myself and then my little kids so its been all hands on board tending to sick ones. We are still in isolation but on the whole 90% recovered (except for the trauma of being stuck in one house with each other for two weeks).

In response, there is some flexibility for applicants to provide the screening how they would like. The continuous means wherever there is parking the landscaping must be provided. It does not necessarily mean all the way to the edge of the property, and if there are pedestrian pathways or utilities precluding landscaping there may be breaks. The ‘continuous’ and ‘4’ in width’ and 4-6’ in height is looking at mature spread and height. It does not mean an impenetrable hedge wall (although it could be provided as such). We look at the species to determine what their final mature height and spread will be. Thus, it may take a few years to reach the mature height and screening intent. The 4-6’ height range stated in the code does not require all species to be 6’ in height nor have we required that as far as I’m aware, it is as it states, a range to hit. Also, as far as I’m aware we have not required a solid barrier (or wall) from residential. Although the intent of this section is not outlined in this code section specifically, I suspect it is not intended solely for ‘auditory and light pollution’, but also to soften the visual impact. The parking lot landscaping is reviewed against the code section below. The mechanical screening and trash screening is outlined in 38.520.070 as you noted. That screening is specifically for the mechanical areas and trash, not for parking areas, if that is what you are asking.

*BMC 38.550.050.C.2. All surface parking lots on the building site must be landscaped in accordance with this subsection C.2.*

*a. Parking lot screening required*

*(1) All parking lots located on a lot with a residential adjacency must be screened from that residential adjacency;*

*(2) All parking lots located between a principal structure and a public street, must be screened from the public street;*

*(3) The screening required under this subsection must be continuous and not less than four feet in width unless a different width is specified in*[38.510.030](https://library.municode.com/mt/bozeman/codes/code_of_ordinances?nodeId=PTIICOOR_CH38UNDECO_ART5PRDE_DIV38.510BLFRST_S38.510.030BLFRST)*; and*

*(4) Screening must be maintained at a height of four to six feet except as otherwise restricted by fence and hedge height limits within required front setbacks and street vision triangles.*

If you have specific criteria you’re hoping the applicant will provide, that is something you can pass along to the developer. From my conversations with the development team, it seems they were open to working together with CT condos, but if our code doesn’t require it (i.e., a wall or 6’ tall landscaping), I don’t have a nexus to require it.

I think that addresses your questions you have asked, but let me know if I didn’t clarify something well enough.

**Lynn Hyde** | **Development Review Planner, Community Development**

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