



**City of McMinnville**  
**Planning Department**  
 231 NE Fifth Street  
 McMinnville, OR 97128  
 (503) 434-7311

[www.mcminnvilleoregon.gov](http://www.mcminnvilleoregon.gov)

**Landscape Review Committee**  
**Community Development Center, 231 NE 5<sup>th</sup> Street**  
**November 16, 2016**  
**12:00 PM**

Committee Members	Agenda Items
Rob Stephenson Chair  Sharon Gunter Vice-Chair  Josh Kearns  RoseMarie Caughran  Tim McDaniel	<ol style="list-style-type: none"> <li>1. <b>Call to Order</b></li> <li>2. <b>Citizen Comments</b></li> <li>3. <b>Approval of Minutes</b> <ol style="list-style-type: none"> <li>A. October 19, 2016 Regular Meeting (Exhibit 1)</li> </ol> </li> <li>4. <b>Action Items</b></li> <li>5. <b>Discussion Items</b> <ol style="list-style-type: none"> <li>A. Potential Zoning Ordinance Updates (Exhibit 2)</li> </ol> </li> <li>6. <b>Old/New Business</b></li> <li>7. <b>Committee Member Comments</b></li> <li>8. <b>Staff Comments</b></li> <li>9. <b>Adjournment</b></li> </ol>

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City of McMinnville  
Landscape Review Committee  
Regular Meeting

October 19, 2016, 12:00 p.m.  
Community Development Center  
McMinnville, Oregon

### MINUTES

Members Present: Chair Rob Stephenson, Committee Members RoseMarie Caughran, Tim McDaniel, Sharon Gunter, and Josh Kearns

Members Absent: None

Staff Present: Chuck Darnell (Associate Planner), and Ron Pomeroy (Principal Planner)

Others Present: None

#### **1. Call to Order**

Associate Planner Darnell called the meeting to order at 12:00 PM.

#### **2. Approval of Minutes:**

Chair Stephenson asked the committee whether there were any suggested revisions to the September meeting minutes. Hearing none, Committee Member Gunter moved that the minutes from the September 21, 2016 regular meeting be approved. Committee Member Caughran seconded. With no further discussion, the Landscape Review Committee members voted to approve the revised plan unanimously.

#### **3. Action Items**

##### **L 22-16**

Associate Planner Darnell introduced the application and plan, which is a tree replacement plan and maintenance plan for the property at 1200 NE Baker Street. The replacement and maintenance plan were conditions placed on the approval to remove seven trees from the property. Staff explained that the applicant was now formally requesting that nine damaged trees be removed, and the replacement plan included nine new trees to be installed in their

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PHONE (503) 434-7311 FAX (503) 474-4955

place. Staff also noted that Public Works staff, during their original inspection, had observed nine damaged trees and recommended that they all be removed, if the property owner wished to do so.

Committee Member Caughran asked if they were clearing out the Maple trees closer to the corner. Associate Planner Darnell showed that only the existing Pine trees would be removed, and that the deciduous tree will remain.

Staff explained that the trees being proposed were not on the approved street tree list, but that the Landscape Review Committee can approve another species. Committee Member Kearns noted that the plan was created as more of a landscaped area, as the planting area is much larger than a normal street tree planting strip. Chair Stephenson agreed.

Committee Member Caughran asked whether root barrier would be required. Staff noted that the root barrier requirement is a standard for any street tree replacement. The committee determined that root barrier would not be necessary in this situation, as the Vine Maple would not require root barrier and the planting area is not as confined as a standard tree planting strip.

Committee Member Caughran asked about deep watering tubes. Committee Member Kearns stated that for the Vine Maple species, deep watering tubes would not be necessary. Chair Stephenson stated that he was comfortable with removing the root barrier and deep watering tube condition from the recommended approval.

Committee member Kearns abstained from voting on the plan because he was involved in the creation of the plan, but did describe the landscaping features on the tree replacement plan.

Committee Member Caughran moved that the request to remove of nine trees replacement and maintenance plan be approved. Committee Member McDaniel seconded. With no further discussion, the Landscape Review Committee members voted to approve the removal request, as well as the tree replacement plan and maintenance plan, as suggested by staff but without the root barrier and deep watering tube requirement.

## **L 32-16**

Associate Planner Darnell introduced the application, which was for a tree removal request for the property at 3004 NE Hembree Street. The applicant was requesting the removal of a tree that was impacting sight lines from the intersection of NE Hembree Street and NE Grandhaven Street. Staff explained that, as part of the standard city review of the application, Public Works completed an inspection and agreed with the applicant. Public Works staff noted that the tree is located at the beginning of a horizontal curve in the roadway on the westbound approach to NE Hembree Street. Therefore, the tree blocks visibility of westbound traffic on NE Grandhaven Street for southbound traffic on NE Hembree Street. For that reason, Public Works staff supported the removal and did not recommend that a replacement tree be planted in the existing planting strip.

Staff explained that the request was also forwarded to the City Engineer because the tree impacted street traffic and public safety. Upon review, the City Engineer agreed that this tree should be removed, and because it is impacting broader street traffic and public safety, the Engineering Department has offered to remove the tree for the property owner at the City's expense.

The committee discussed whether the tree could be replaced, and whether a replacement tree would be suitable at this location. The committee decided to follow the recommendation of Public Works staff and the City Engineer, and not require replacement.

Committee Member McDaniel moved that the tree removal request be approved. Committee Member Gunter seconded. With no further discussion, the Landscape Review Committee members voted to approve the tree removal request unanimously.

#### **4. Discussion Items:**

##### **Overview of Landscape and Tree Regulations**

Staff provided an overview of the Landscaping chapter (Chapter 17.57) of the McMinnville Zoning Ordinance. This chapter establishes the regulations for landscaping of particular properties within the city, and also establishes the process by which proposed landscaping is reviewed and approved. Chapter 17.57 describes the review process followed by the Landscape Review Committee and the criteria that are used to review landscaping plans. The chapter also establishes which districts and uses are required to have landscaping, and how much of a site must be landscaped.

Associate Planner Darnell provided an overview of the Trees chapter (Chapter 17.58) of the McMinnville Zoning Ordinance. This chapter establishes regulations for tree removal, as well as regulations for the installation of street trees. Separate tree removal and street tree planting review processes, as well as review criteria for each, are described in Chapter 17.58. Regulations related to the protection of trees are also included in this chapter. Chapter 17.58 establishes situations in which street tree planting is required, as well as street tree standards that must be followed when planting and maintaining street trees.

Chair Stephenson asked about tree removals, and whether tree removal was required once the Landscape Review Committee approves it. Associate Planner Darnell stated that it would be. Committee Member Caughran stated that a recently approved tree removal had not been completed, and that the property owner only cut larger limbs off of the tree.

Associate Planner Darnell explained that enforcement of the actual tree removals would be up to the Planning Department, and that staff would have to ensure that property owners are following through with removals once they were approved. Chair Stephenson asked Principal Planner Pomeroy what the past practice had been in the past. Pomeroy stated that the Planning Department would be responsible, but that in the past enforcement had not been prioritized due to staffing and workloads.

Committee Member Kearns stated that the City should be responsible for enforcing to prevent landscape plans and street tree plantings from eventually dying or being removed, and then not replaced. Chair Stephenson agreed.

Committee Member McDaniel asked how the City had authority to require the removal and replacement. Associate Planner Darnell stated that the zoning ordinance allows the Landscape Review Committee to require a tree replacement, and once the application for removal is heard and approved by the committee, the removal is then required.

Principal Planner Pomeroy stated that the approval letter for any removal request approves the removal, and that the property owner isn't necessarily required to remove the tree. Once they do remove the tree, as approved, then the owner will be required to follow all of the other conditions of approval. The committee was comfortable with that approach.

Committee Member Kearns suggested that a tree removal quote be submitted with an application, so that the property owner is aware of the costs up front.

Committee Member Kearns asked about long term enforcement of street tree plantings and subdivision street tree plans. Associate Planner Darnell stated that the code allows the Landscape Review Committee to place a longer replacement timeframe on approved street tree plans. Staff suggested that in the future, street tree plans should be approved and required to be maintained in perpetuity.

### **Overview of Approved Tree List & Tree Planting Detail**

Associate Planner Darnell described the McMinnville Street Tree list. On May 10, 2016, the McMinnville City Council approved the McMinnville Street Tree List (Resolution 2016-22). The approved list describes tree characteristics that are desirable for trees to be planted within the public rights-of-way in the City of McMinnville. The list includes recommended, conditional, and prohibited trees. The list of recommended trees includes trees that adhere to the desirable characteristics for street trees. The list is separated by small, medium, and large trees, all of which have different spacing requirements to ensure a continuous canopy at maturity.

Chair Stephenson stated that new tree varieties should be considered and the street tree list could be updated periodically. Committee Member Kearns agreed.

Committee Member Caughran agreed, and stated that there are new varieties that may be prohibited on this list that now could be allowed. Staff suggested that the street tree list come back before the Landscape Review Committee for future review and updating.

Associate Planner Darnell also described the tree planting detail that has been provided to applicants that are required to plant a replacement street tree, which was developed by the Public Works Department in May 2014. The detail includes specifications for the planting of street trees and the type of materials to be used. There is a separate detail for street trees being planted in the downtown area.

Committee Member Caughran asked whether the tree planting detail was consistent with what was required of property owners when they are required to replace a street tree. Associate Planner Darnell explained that it was consistent.

Chair Stephenson stated that replacement trees should be inspected when they are installed. Associate Planner Darnell stated that it was a standard condition of approval, but there had been issues with property owners not calling for the inspections prior to replanting. Chair Stephenson stated that the downtown tree plantings were not completed to the details. Principal Planner Pomeroy stated that the Planning Department had not been notified of the installations in the past.

**5. Citizen Comments**

There were no citizen comments.

**6. Committee Member Comments**

There were no committee member comments.

**7. Staff Comments**

There were no staff comments.

**8. Adjournment**

The meeting was adjourned at 12:54 PM.



## STAFF REPORT

**DATE:** November 16, 2016  
**TO:** Landscape Review Committee Members  
**FROM:** Chuck Darnell, Associate Planner  
**SUBJECT:** Agenda Item 4A: Potential Ordinance Updates

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### Report in Brief:

The purpose of this discussion item is to consider whether the City should make any amendments to the Landscaping chapter (Chapter 17.57) or the Trees chapter (Chapter 17.58) of the McMinnville Zoning Ordinance.

### Background:

The Landscaping chapter (Chapter 17.57) of the McMinnville Zoning Ordinance establishes the regulations for landscaping of particular properties within the city, and also establishes the process by which proposed landscaping is reviewed and approved. Chapter 17.57 describes the review process followed by the Landscape Review Committee and the criteria that are used to review landscaping plans. The chapter also establishes which districts and uses are required to have landscaping, and how much of a site must be landscaped.

The Trees chapter (Chapter 17.58) of the McMinnville Zoning Ordinance establishes regulations for tree removal, as well as regulations for the installation of street trees. Separate tree removal and street tree planting review processes, as well as review criteria for each, are described in Chapter 17.58. Regulations related to the protection of trees are also included in this chapter. Chapter 17.58 establishes situations in which street tree planting is required, as well as street tree standards that must be followed when planting and maintaining street trees.

### Discussion:

Staff has reviewed the existing Landscaping and Tree chapters of the McMinnville Zoning Ordinance, and following Landscape Review Committee discussion at the last regular meeting on October 19, 2016, has developed suggestions for specific sections of the chapters that could be amended. Those amendments are as follows:

#### Chapter 17.57 - Landscaping

##### 1) Section 17.57.030 (B):

Existing Language: "Landscaping review shall occur within ten working days of submission of the plans. The applicant shall be notified of the time and place of the review and is encouraged to be present, although his presence shall not be necessary for action to be taken on the plans. A failure to review within ten working days shall be considered as approval of the plan"

Suggested Amendment: Change review period from 10 working days to 30 calendar days, to more accurately reflect existing practice.

2) Section 17.57.030 (E):

Existing Language: "All completed landscape projects shall be inspected by the Director of Parks and Recreation."

Suggested Amendment: Change to state that landscape projects shall be inspected by the Planning Director or their designee, to more accurately reflect existing practice.

3) Section 17.57.050 (B)(6):

Existing Language: A condition of approval for landscape plans is that "Suitable watering facilities or irrigation systems must be included in or near all planted areas;

Suggested Amendment: Staff is suggesting that this condition remain, but would like the Landscape Review Committee to verify that they support the installation of irrigation.

4) Section 17.57.050 (C):

Existing Language: "All landscaping approved through the Landscape Review Committee shall be continually maintained, including necessary watering, weeding, pruning, mowing, and replacement."

Suggested Amendment: Add statement such as: "Minor changes in the landscape plan shall be allowed, as long as they do not alter the character and aesthetics of the original plan".

5) Section 17.57.080 (A):

Existing Language: Currently states that Landscape Review Committee "shall consist of three members and two alternate members". It goes on to state that only regular committee members may vote, and that alternate members can only vote in the absence of regular committee members.

Suggested Amendment: Amend to allow for 5 regular members.

6) Section 17.57.080 (B):

Existing Language: Currently explains the voting procedures and the differences between regular members and alternate members.

Suggested Amendment: Amend to state that a simple majority of the 5 regular members will constitute a quorum.

## Chapter 17.58 - Trees

1) Section 17.58.040 (H):

Existing Language: "Specific design drawings and specifications shall be developed for the planting of street trees within the downtown tree zone, and shall be made readily available to all property owners undertaking sidewalk construction, reconstruction or modifications. Such design specifications may include tree root barriers, watering tubes or structures, and

removable pavers, and shall graphically describe the proper method for planting trees within the downtown tree zone to minimize the potential for sidewalk / tree root conflict.”

Suggested Amendment: Add a statement to describe design drawings and specifications for the planting of trees in areas outside of the downtown tree zone as well.

2) Section 17.58.060:

Existing Language: Currently explains situations which allow for an exemption from a permit to remove or prune trees.

Suggested Amendment: Add an exemption for trees that are impacting public infrastructure that the adjacent property owner is not responsible for (curb cuts, electric vaults, storm sewer, etc.). We could require that a tree be replaced if possible, or that a tree be planted in another location in a park to make up for removed tree.

3) Section 17.58.090 (A):

Existing Language: “The species of the street trees to be planted shall be chosen from the approved street tree list unless approval of another species is given by the McMinnville Landscape Review Committee.”

Suggested Amendment: Add a statement such as: “The Landscape Review Committee shall periodically review and update the approved street tree list to reflect current landscaping and arborist practices and standards.” Also, the Landscape Review Committee could consider recommending certain types of trees for different classifications of roadway or type of land use. This could be incorporated into an updated version of the approved street tree list.

4) Section 17.58.090 (G):

Existing Language: “Sidewalk cuts in concrete for tree planting shall be a minimum of four feet by six feet, with the long dimension parallel to the curb, and if located within the downtown tree zone shall follow the design drawing, or modified design, approved by the Planning Director.”

Suggested Amendment: The Landscape Review Committee could consider other options for planting strips, such as wider planting strips along larger roadways or the use of pavers around a tree that can be removed as the tree grows. The purpose of this would be to prevent trees from impacting sidewalks or drive areas adjacent to the tree.

5) Section 17.58.120:

Existing Language: “Street trees shall be continually maintained, including necessary watering, weeding, pruning and replacement, by the developer or property owner for one full growing season following planting, or as may be required by the City.”

Suggested Amendment: Add a statement requiring that street trees be maintained in perpetuity.

**Fiscal Impact:**

None

**Recommendation/Suggested Motion:**

No motion required. The Landscape Review Committee may provide guidance to staff if it is determined that areas of the Landscaping and Trees chapters should be amended as proposed by staff.