



**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**  
**January 18, 2017**  
**12:00 PM**

Committee Members	Agenda Items
Rob Stephenson Chair	<b>1. Call to Order</b>
Sharon Gunter Vice-Chair	<b>2. Citizen Comments</b>
Josh Kearns	<b>3. Approval of Minutes</b> A. December 21, 2016 Regular Meeting (Exhibit 1)
RoseMarie Caughran	<b>4. Action Items</b> A. L 36-16 – Street Tree Removal (Exhibit 2) 615 NE 15 <sup>th</sup> Street (McMinnville High School)
Tim McDaniel	B. Draft Landscape and Tree Ordinance Amendments (Exhibit 3)
	<b>5. Discussion Items</b>
	<b>6. Old/New Business</b>
	<b>7. Committee Member Comments</b>
	<b>8. Staff Comments</b>
	<b>9. Adjournment</b>

The meeting site is accessible to handicapped individuals. Assistance with communications (visual, hearing) must be requested 24 hours in advance by contacting the City Manager (503) 434-7405 – 1-800-735-1232 for voice, or TDY 1-800-735-2900.

\*Please note that these documents are also on the City's website, [www.mcminnvilleoregon.gov](http://www.mcminnvilleoregon.gov). You may also request a copy from the Planning Department.

# EXHIBIT 1

City of McMinnville  
Landscape Review Committee  
Regular Meeting

December 21, 2016, 12:00 p.m.  
Community Development Center  
McMinnville, Oregon

## MINUTES

Members Present: Chair Rob Stephenson, Committee Members Sharon Gunter, and Tim McDaniel

Members Absent: Committee Members RoseMarie Caughran and Josh Kearns

Staff Present: Chuck Darnell (Associate Planner)

Others Present: None

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

Chair Stephenson called the meeting to order at 12:05 PM.

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

Chair Stephenson asked the committee whether there were any suggested revisions to the October meeting minutes. Chair Stephenson stated that there was one correction required on Page 2, changing a statement that a landscape plan should not be required to a statement that an irrigation plan should not be required. Associate Planner Darnell stated that staff would make the correction. Hearing no other comments, Committee Member Gunter moved that the minutes from the November 16, 2016 regular meeting be approved. Committee Member McDaniel seconded. With no further discussion, the Landscape Review Committee members voted to approve the revised minutes unanimously.

### **3. Action Items**

#### **L 33-16**

Associate Planner Darnell introduced the application, which is a street tree removal request for the property at 738 NW Thomas Court. The removal request was generated in response to the applicant being required to repair a damaged sidewalk adjacent to their property and finding that the damage had been caused by tree roots. Staff explained that the applicant had provided an arborist's report, which identified the roots that had caused the sidewalk damage.

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and determined that trimming of the roots would cause significant damage to the tree. The arborist's report had recommended that the trees be removed and replaced.

Staff also stated that Public Works staff had completed an inspection, and agreed with the arborist's recommendation. However, due to poor original planting locations and conflicts with underground utilities, Public Works staff were recommending that only one of the trees be replaced.

Chair Stephenson asked about the process for sidewalk repair and how the tree removal works when the City required that the sidewalk be prepared. Staff stated that the adjacent property owner is still responsible for the tree removal. Chair Stephenson and Committee member Gunter expressed some concern with the fact that property owners would be responsible for both the sidewalk and the trees. Committee member Gunter stated that now that we have standards for planting, it shouldn't create an issue in the future, but it is still unfortunate that the owner would carry the full responsibility. Staff stated that the various departments were working together to be flexible with property owners when these types of situations arise, and that they have been providing adequate time for the owners to complete the necessary repairs. The committee discussed the possibilities of making funds available for these types of repairs, and staff stated that the ideas would be brought up the next time the discussion occurred between departments.

Committee Member Gunter moved that the request to remove the two street trees be approved. Committee Member McDaniel seconded. With no further discussion, the Landscape Review Committee members voted to approve the removal request, with the conditions as suggested by staff.

### **L 36-16**

Associate Planner Darnell suggested that the Street Tree Improvement Plan for the Barclay Heights Subdivision be moved up in the agenda, as it is related to the tree removal request that was just discussed and approved. The Committee agreed to move the agenda item up.

Associate Planner Darnell described the Street Tree Improvement Plan for the Barclay Heights Subdivision. The main issues that have been encountered in this subdivision are trees impacting surrounding infrastructure. In many locations within the subdivision, the street trees are very shallow rooted which has caused surface roots and large buttress roots to be located immediately under or adjacent to sidewalks, driveways, and streets. This has led to a number of street tree removal requests, including one reviewed by the Landscape Review Committee this month, as well as the City removing one tree recently due to its impact on ADA compliant sidewalk infrastructure at an intersection.

Staff stated that this had led Public Works staff to developing the draft Street Tree Improvement Plan for the subdivision, which would allow for street tree removal requests to be approved administratively. Chair Stephenson asked if replacement trees would still be required, and staff stated that that would be their intention. Associate Planner Darnell referenced the staff report and the photos of the street, which show a robust tree canopy throughout the subdivision. Chair Stephenson stated that the robust tree canopy created a

nice character in the neighborhood. Staff stated that it would be a priority to have any removed tree replaced.

Chair Stephenson asked if the property owner would still be responsible for all costs of removal. Staff stated that conditions of approval of the street tree improvement plan include that all street trees approved to be removed would follow the same street tree standards as all other street tree removal requests. The conditions of approval also include statements regarding the street tree standards that would be followed when replacement trees are required.

Chair Stephenson stated that some locations may not be good locations for tree replacement, which is why the trees are needing to be removed in the first place. Staff suggested that a condition of approval could be added stating that in the event there is a conflict with utilities, the replacement trees could be moved to a more suitable location. Chair Stephenson stated that it may not be reasonable to expect 100 percent replacement. Committee member Gunter agreed, stating that there might be locations where trees just should not have been planted, due to distances from utilities or driveways.

Committee Member Gunter stated that some common sense should be allowed during the tree removal and replacement, as some developers may have not planted trees in appropriate locations in the first place.

The committee discussed the street tree species that would be allowed, and didn't have any suggested changes from what was recommended by staff.

Committee Member Gunter moved that the street tree improvement plan request be approved as recommended by staff. Chair Stephenson seconded. With no further discussion, the Landscape Review Committee members voted to approve the tree removal request unanimously.

#### **L 34-16**

Associate Planner Darnell introduced the application and plan, which is a landscape plan for a new maintenance building to be constructed on the Hillside Manor property at 300 NW Hillside Parkway. Staff explained that the subject property is zoned R-4 PD Multiple Family Residential Planned Development, and that the planned development that is in place on the property was approved in July 1999, and a landscape plan for the property was subsequently approved by the Landscape Review Committee in December 1999. The original master plan for the area had shown a new community barn building in the open field area, with other features such as community garden areas that would be available for residents to use. The owners are now proposing to construct a pole building to function as the property's maintenance facility, instead of the community barn facility that was shown on the previously approved master plan.

Associate Planner Darnell stated that the Planning Department is treating the proposed request to construct the maintenance building with a new design and in a new location as a minor change to the master plan. Staff also stated that the Planning Department would only

consider the proposed changes to the master plan as minor if the landscaping from the 1999 landscape plan was also installed. Based on that, the landscape plan that the Landscape Review Committee is reviewing now is only for the perimeter plantings being proposed around the new maintenance building.

The committee reviewed the landscape plan from 1999, and was comfortable with the landscaping that was shown on the original plan. Staff stated that the original plan was very robust and provided for screening of the property from adjacent properties.

Committee member Gunter stated that many people use the walking path and it will be visible from that path and from the adjacent residential properties.

Associate Planner Darnell described the perimeter planting that is proposed around the new maintenance building. Chair Stephenson stated that the plan was somewhat vague, in that it did not specify the type of ornamental grass that is going to be planted. Staff stated that the applicant's intent was to plant ornamental grasses of a species consistent with the landscaping on the surrounding buildings. Committee member Gunter stated that she was comfortable with the planting of ornamental grasses, considering that the additional landscaping from the 1999 would also be installed to provide screening.

Chair Stephenson moved that the landscape plan be approved with the conditions as recommended by staff, along with a condition that will require the ornamental grasses to be consistent with the species of grasses used in landscaping on other portions of the site. Committee member Gunter seconded. With no further discussion, the Landscape Review Committee members voted to approve the landscape plan unanimously.

### **L 35-16**

Associate Planner Darnell introduced the application and plan, which is a landscape plan for the development of a wireless communication tower at 2050 NE Lafayette Avenue on the Yamhill County Fairgrounds property. Staff explained that there are two tests in the McMinnville Zoning Ordinance for landscaping around a wireless facility installation which include the standard Landscaping chapter requirements, but also include the Wireless Communication Facilities chapter landscaping requirements.

Associate Planner Darnell stated that the applicant is proposing to install a six foot sight-obscuring fence that is required by Section 17.55.050 (B) around the site. On the north side of the site, there are existing arborvitae and deciduous trees that are mature and about 25 feet in height currently provide screening. The applicant is proposing to retain those plantings, which meets the requirements of providing a 10 foot landscaped area and evergreen or similar type landscaping on the north side.

Chair Stephenson asked what the existing use was to the north of the wireless tower site. Staff stated that the property to the north is zoned commercial, but is actually a residential use, so screening of that site is important.

Associate Planner Darnell explained that the applicant is not providing landscaping on the south side of the site, as most of the south side is immediately adjacent to a building and the remaining portion of the south side must remain clear to allow for access into the site for maintenance. The applicant is arguing that the required 10 foot landscape buffer is not possible on the west and east sides of the site, due to the Wisser Horticulture Pavilion being located on the east side and a transformer being installed on the west side.

Associate Planner Darnell stated that staff did determine that a smaller clearance is allowed for landscaping around transformers, so staff has suggested that a condition of approval be added to require additional arborvitae on the west side of the site. Chair Stephenson stated that the additional arborvitae on the west side should be planted starting 3 feet north of the transformer, then planted 3 feet on center to the north until the arborvitae meet the existing arborvitae wall. Committee member McDaniel stated that that spacing would be necessary to create a full screening wall. Staff stated that the condition of approval could be amended to state that.

Associate Planner Darnell also explained that the east side of the site, while constrained, could accommodate a small amount of landscaping to provide screening of the fence and wireless communications infrastructure. Committee member Gunter stated that the Master Gardeners will be using the horticulture building to the east quite frequently, so the public will be in close proximity to the site. Staff stated that they had discussed this with the applicant, and that the applicant has proposed that an ivy wall, using Boston Ivy, could be added to the east side of the site. This ivy wall would be constructed with wire paneling to provide support for the ivy, and would create the screening effect that the Zoning Ordinance intends for while taking up less physical space.

Committee member Gunter stated that there may be concerns with ivy being planted in this area. Chair Stephenson stated that he liked the Boston Ivy, as long as it was maintained. Committee member Gunter stated that the condition of approval should state that the applicant will be responsible for maintaining the ivy to discourage spreading. Committee member McDaniel stated that based on the constraints of the site, the ivy wall may be the best treatment to meet the intent of the ordinance. He also stated that the Boston Ivy will provide for full screening and will provide for a great presentation of color in the fall. Staff has suggested that a condition of approval be added to require the ivy wall on the east side of the site.

Associate Planner Darnell explained that Section 17.55.050 (B) allows for the Planning Director to require “the addition of a proportional landscape area that will enhance the subject site either at a building perimeter, parking lot, or street frontage, adjacent to or within the subject site” when the applicant cannot provide the required 10 foot landscaped buffer. Staff stated that, based on the amount of landscaping being provided, a total of 1,245 additional square feet of landscaped area could be provided to provide the proportional landscape area. Staff has suggested that a condition of approval be added to require this proportional landscape area to be approved by the Planning Director. Committee member Gunter stated that she was comfortable with staff approving that additional landscaped area, as they can make a determination while they are out on the site completing inspections.

Chair Stephenson moved that the landscape plan be approved with the conditions as recommended by staff, along with a condition that will require the ivy wall to be maintained by the applicant. Committee member Gunter seconded. With no further discussion, the Landscape Review Committee members voted to approve the landscape plan unanimously.

**4. Discussion Items:**

There were no discussion items on the agenda.

**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.



## **EXHIBIT 2 - STAFF REPORT**

**DATE:** January 18, 2017  
**TO:** Landscape Review Committee Members  
**FROM:** Chuck Darnell, Associate Planner  
**SUBJECT:** Agenda Item 4A: L 36-16

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### **Report in Brief:**

An application for a landscape plan to be reviewed by the Landscape Review Committee.

### **Background:**

The applicant, Andrew Werth on behalf of McMinnville School District, submitted a landscape plan review application to install landscaping around new buildings and site enhancements that are being constructed on the property located at 615 NE 15<sup>th</sup> Street. The subject property is the site of McMinnville High School, and is more specifically described as Tax Lots 2600 and 3000, Section 16CA, T. 4 S., R. 4 W., W.M.

### **Discussion:**

The McMinnville School District is proposing to complete an expansion of the existing McMinnville High School by adding two new buildings, a vocational education building (Technology Center) and Field House, as well an expansion of the existing building to create a larger cafeteria and replace some classrooms. As part of the expansion, the parking lots will be expanded and reconfigured to accommodate more parking spaces and a new bus parking area. Much of the new construction is occurring in the area between the main high school building and the stadium.

The landscaping being proposed as part of the expansion of the high school will be installed around the new Technology Center, between the new Technology Center building and the existing main high school building, and within and around the new parking lots. Landscaping is also proposed around the new Field House, which will replace an existing school district maintenance facility near the intersection of NE McDonald Lane and NE 16<sup>th</sup> Street.

The McMinnville High School is a conditional use at this location, as it is located in the R-2 Single Family Residential zoning district. Therefore, the design of the proposed expansion and landscaping should be compatible with and have minimal impact on the livability or development of abutting properties and the surrounding neighborhood (Section 17.74.030 (B)). The uses surrounding the portion of the McMinnville High School site in question are primarily single family residential, and the surrounding area is also zoned R-2 Single Family Residential. To ensure that development of the site does not have negative impacts

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#### *Attachments:*

*Application & Submitted Landscape and Irrigation Plans*

*Public Works Staff Comments*

*McMinnville Water and Light Comments*

on the surrounding neighborhood, landscaping has been proposed to provide for buffering and screening of the high school site from abutting properties. This was a focus of the review of the recent conditional use request, and therefore emphasis should be placed on the landscaping that is being installed around the property lines to provide that buffering and screening.

In reviewing a landscape plan, Section 17.57.050 (B) of the McMinnville Zoning Ordinance requires the Landscape Review Committee to consider the following factors:

1. Compatibility with the proposed project and the surrounding and abutting properties and the uses occurring thereon.

The overall McMinnville High School site is landscaped along the NE Evans Street frontage and the NE 15<sup>th</sup> Street frontage. There is landscaping around the perimeter of the building and main entrances, as well as island tree plantings in the existing parking lots.

The landscaping that is being proposed will complement the existing landscaping. The applicant will be installing 85 trees throughout the site. Following the interior drive aisle extending south from the intersection of NE Hembree Street and NE 17<sup>th</sup> Street, the landscape plan shows the installation of 17 *Liriodendron tulipifera* 'Emerald City' trees along the drive aisle, which will create a tree-lined character on the primary entrance drive into the site. The Emerald City Tulip Trees have an upright, oval shape and will grow to a mature height of 55 feet with a spread of 25 feet. However, McMinnville Water and Light has concerns with the proposed species in the planting area along NE Hembree Street, as those trees will be planted beneath an existing overhead power line.

The species of trees in that specific location along NE Hembree Street could be adjusted to another species with a smaller mature canopy. The species could be selected from the "Small Trees" on the approved McMinnville Street Tree List, which were selected as appropriate species for planting underneath overhead utility lines because their mature height is 25 feet or less. Also, although the trees are being planted outside of the right-of-way, root barrier protection could be required on the trees along NE Hembree Street to prevent any future damage to the adjacent sidewalk. Root barrier protection could also be encouraged adjacent to the Emerald City Tulip trees along the drive aisle to the south to ensure that the sidewalks within the site are not damaged in the future.

*Nyssa sylvatica* 'NSUHH' (Green Gable Tupelo) trees will be planted along the edges of the new parking lots and *Cercidiphyllum japonicum* 'Red Fox' (Red Fox Katsura) trees will be planted in the planting islands within the new parking lots. These trees have broad canopies which will provide for shade over the parking lot. Various different shrubs are also proposed along the edges of the parking lots, particularly in the planting areas fronting NE Hembree Street and the primary entrance drive aisle referenced above.

Based on the proposed species and planting locations, the landscaping described above is compatible with the proposed project and the surrounding and abutting properties.

2. Screening the proposed use by sight-obscuring, evergreen plantings, shade trees, fences, or combinations of plantings and screens.

The landscaping plan shows the installation of a significant amount of landscaping on the north side of the site, which has been designed to provide screening of the new parking lots from the abutting residential properties to the north. The landscape plan shows the installation of *Viburnum tinus* 'Spring Bouquet' in a continuous row along the north property line. The Spring Bouquet viburnum will grow to a height of four (4) to six (6) feet, with a width of four (4) to six (6) feet. Based on the proposed placement, the viburnum will grow to provide a full planting screen along the north property line at maturity. The landscape plan also shows the installation of 31 *Pinus contorta* (Shore Pine) trees behind the continuous viburnum wall, and then a row of the Green Gable Tupelo trees between the

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*Attachments:*

*Application & Submitted Landscape and Irrigation Plans*

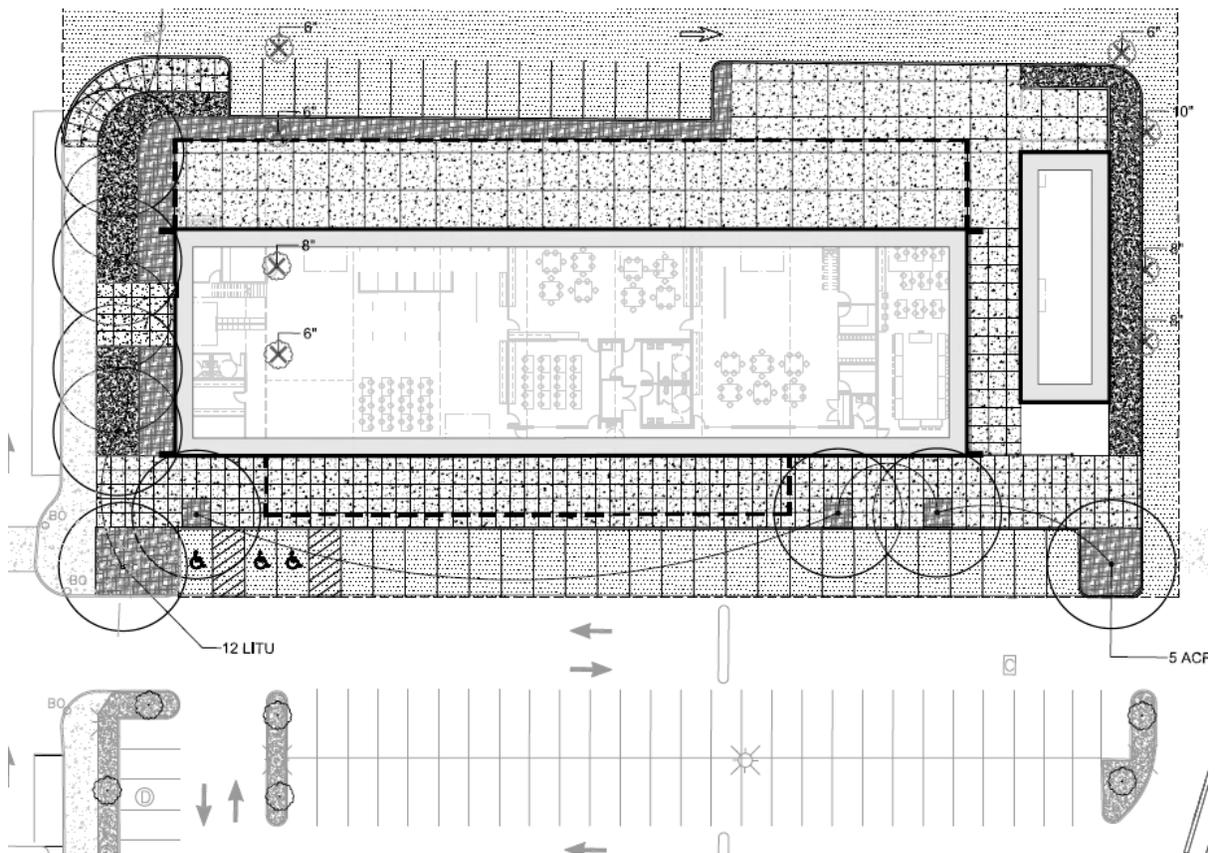
*Public Works Staff Comments*

*McMinnville Water and Light Comments*

Shore Pine trees and the parking lot. Altogether, these three rows of plantings amount to a 32 foot landscaped space between the property line and the northern-most portion of the new parking lot. This will provide for screening of the proposed use from the residential properties immediately adjacent to the north.

The new Field House, which will replace an existing school district maintenance facility off of NE McDonald Street, will be constructed near adjacent residential properties. Therefore, screening of the proposed use in this location will also be important in ensuring that the development is compatible with the surrounding neighborhood. The landscape plan shows the installation of 38 Thuja occidentalis 'Emerald' (Emerald American Arborvitae) along the south property line, which is immediately adjacent to a residential use. The arborvitae are being planted three (3) feet apart on center, which will create a full planting screen along the south property line at maturity. The arborvitae will also grow to a mature height of 12-14 feet, which will screen the proposed use from the adjacent property. There is an existing six (6) foot tall hedge around the north and west sides of the Field House, which will be maintained to provide for additional screening.

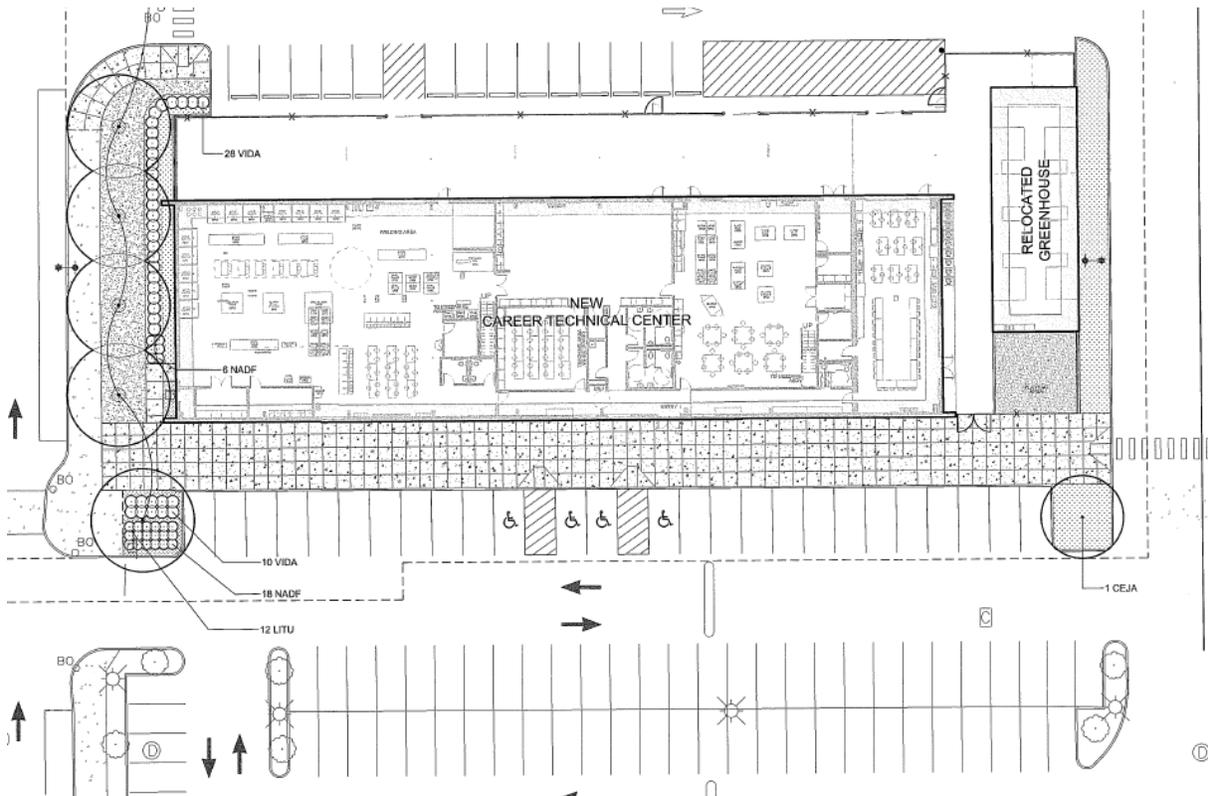
The new Technology Center building had been shown to have additional trees planted on the south side, between the new building and the existing parking lot, during the review of the recent conditional use request (CU 8-16). However, those trees are not shown on the submitted landscape plan. The original landscape plan from the conditional use permit review can be seen below:



The landscape plan as submitted can be seen below, which does not include as many trees along the south side of the Technology Center:

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*Attachments:*  
*Application & Submitted Landscape and Irrigation Plans*  
*Public Works Staff Comments*  
*McMinnville Water and Light Comments*



Staff believes that the original landscape plan and the additional trees on the south side of the building provided for buffering between the building and the pedestrian space and the adjacent parking lot. Therefore, staff is suggesting that additional trees be added back to the south side of the Technology Center, as shown in the plans submitted for the conditional use review.

3. The retention of existing trees and natural areas that may be incorporated in the development of the project. The existing grade should be preserved to the maximum practical degree. Existing trees shall be provided with a watering area equal to at least one-half the crown area.

The only trees being removed as part of the expansion project are those that are located in the existing parking lot that is being reconstructed and reconfigured. The number of trees being removed will be replaced in the newly constructed parking lots and islands, as shown in the landscape plan. The site is basically flat, so the existing grade is being maintained throughout the site.

4. The development and use of islands and plantings therein to break up parking areas.

As described above, the use of rows of trees and plantings around and within the new parking lots near the main high school building will break up the parking areas and provide for screening of the parking lots from the surrounding neighborhood. There is one row of parking along the south side of the new Field House, and this will be screened by a row of arborvitae. The parking areas is not very large, so additional plantings within islands is not being proposed.

5. The use of suitable street trees in the development of new subdivisions, shopping centers and like developments. Certain trees shall be prohibited in parking areas: poplar, willow, fruit, nut, birch, conifer, and ailanthus.

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*McMinnville Water and Light Comments*

The landscape plan does not include any type of tree that is prohibited in parking areas. The Green Gable Tupelo trees do produce small blue berries, and those trees will be planted in rows around the new parking lots. However, the fruit is not significant or so undesirable that the species could not be used in those locations.

6. Suitable watering facilities or irrigation systems must be included in or near all planted areas.

The landscaping plan includes a complimentary irrigation plan. Irrigation is proposed to be installed in all planting areas, and dripline is proposed around the trees within the parking lots, trees within the parking lot islands, and around the row of arborvitae being installed on the south side of the new Field House.

**Fiscal Impact:**

None.

**Recommendation/Suggested Motion:**

Based on the findings described above, staff is recommending that the submitted landscape plan be approved with the following conditions:

1. That the applicant install landscaping as shown on the submitted landscape plan dated December 16, 2016.
2. That three (3) additional trees be installed on the south side of the Technology Center as shown in the landscape plan from the plans submitted for the review of the conditional use (CU 8-16) dated October 7, 2016.
3. That the four (4) trees along NE Hembree Street, north of NE 17<sup>th</sup> Street, shall be a species from the Small Trees section of the approved McMinnville Street Tree List. The tree species installed shall be small or narrow in stature and less than 25 feet in height at maturity to avoid future conflicts with overhead utility lines along NE Hembree Street.
4. That each tree adjacent to NE Hembree Street shall be provided with root barrier protection in order to minimize sidewalk and tree root conflicts. The barrier shall be placed on the public sidewalk side of each tree. The root barrier protection shall be placed in 10-foot lengths, centered on each tree, and to a depth of eighteen (18) inches.
5. That the applicant ensure that all landscaping be installed to meet the ten (10) foot clearance requirement around the existing fire hydrant located near the intersection of NE Hembree Street and NE 17<sup>th</sup> Street.
6. That all landscaping approved by the Landscape Review Committee and required as conditions of approval shall be maintained, including necessary watering, weeding, pruning, mowing, and replacement.

Suggested Motion: Staff recommends that a motion be made to approve the landscape plan, subject to the conditions as noted in the staff report.

CD:sjs

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<b>Office Use Only:</b>	
File No.	<u>L36-16</u>
Date Received	<u>10/21/16</u>
Fee	<u>140<sup>00</sup></u>
Receipt No.	_____
Received by	<u>[Signature]</u>

## Landscape Plan Review Application

### Applicant Information

**Applicant is:**  Property Owner  Contract Buyer  Option Holder  Agent  Other \_\_\_\_\_

Applicant Name ANDREW WERTH Phone 503-226-6950  
 Contact Name JIM FITZPATRICK Phone 503-226-6950  
 (If different than above)  
 Address 907 SW STARK ST.  
 City, State, Zip PORTLAND, OR 97205  
 Contact Email jim.fitzpatrick@IBIGroup.com

### Property Owner Information

Property Owner Name McMINNVILLE School District Phone 503-565-4000  
 (If different than above)  
 Contact Name Pete Keenen Phone \_\_\_\_\_  
 Address 1500 NE BAKER ST.  
 City, State, Zip McMINNVILLE, OR 97128  
 Contact Email \_\_\_\_\_

### Site Location and Description

*(If metes and bounds description, indicate on separate sheet)*

Property Address 615 NE 15<sup>th</sup> ST. , McMinnville, OR 97128  
 Assessor Map No. R4 4416 - CA - 2600 Total Site Area \_\_\_\_\_  
 Subdivision \_\_\_\_\_ Block \_\_\_\_\_ Lot \_\_\_\_\_  
 Comprehensive Plan Designation \_\_\_\_\_ Zoning Designation \_\_\_\_\_

**Landscaping Information**

- 1. Total Landscaped Area: ~ 120,000 sf
- 2. Percent Landscaped: ~
- 3. Building Floor Area:  
New Structure: 19,000 sf Existing Structure: N/A Addition: 7,000 sf
- 4. Architect Name NICHOLAS WILSON (ATLAS LANDSCAPE ARCHITECTURE) Phone 503-224-5238  
(Landscape Architect, Engineer, or Other Designer)  
Contact Name NICHOLAS WILSON Phone 503-224-5238  
Address 12562 SW MAIN ST. #210  
City, State, Zip TIGARD, OR 97223  
Contact Email

In addition to this completed application, the applicant must provide the following:

- Two (2) copies of the proposed landscape plan containing the information listed in the information sheet and Chapter 17.57 (Landscaping) of the Zoning Ordinance.
- Payment of the applicable review fee, which can be found on the Planning Department web page.

**I certify the statements contained herein, along with the evidence submitted, are in all respects true and are correct to the best of my knowledge and belief.**

  
\_\_\_\_\_  
Applicant's Signature

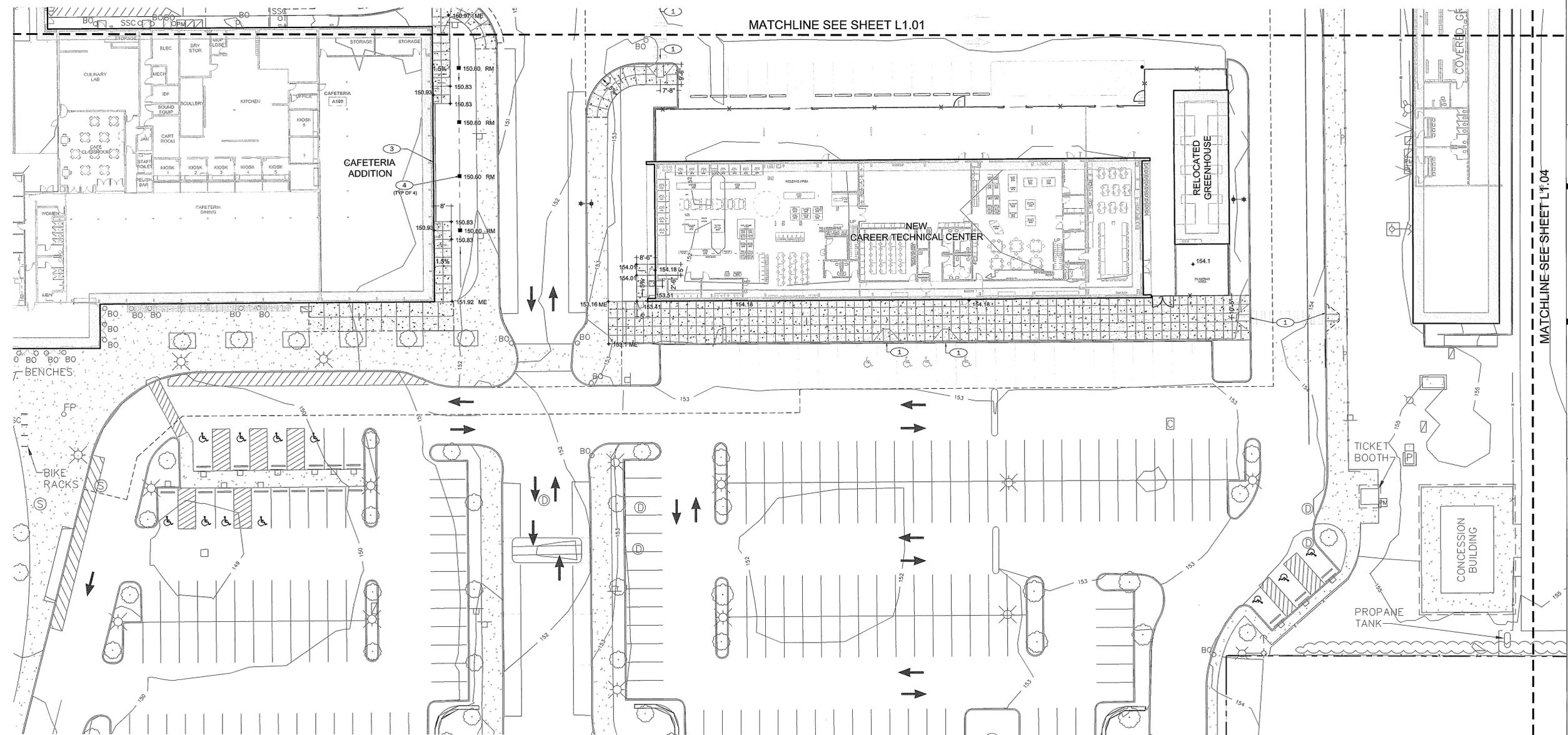
12.21.16  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Property Owner's Signature

12-22-16  
\_\_\_\_\_  
Date



11/29/2016 8:24:31 AM  
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MATCHLINE SEE SHEET L1.01

MATCHLINE SEE SHEET L1.04

**LEGEND**

- 4" Concrete Paving w/ Control Joints (11/L4.00)  
Indicates direction of broom finish
- 6" Concrete Paving w/ Control Joints (2/L4.00)  
Isolation Joint
- Asphalt Paving with Rubber Track Surfacing (7/L4.00)
- Rubber Track Surfacing over existing AC Paving
- Asphalt Concrete Paving (6/L4.00)
- Existing Concrete Paving to Remain
- Sawcut

**Keyed Notes:**

- ① Concrete Curb Ramp (11/L4.00)
- ② Concrete Driveway Apron (10/L4.00)
- ③ Concrete Mow Curb (5/L4.00)
- ④ Catch Basin, 18" unless otherwise indicated (8/L4.00)
- ⑥ Javelin Runway Paint Striping (12/L4.00)
- ⑦ Javelin Throwing Sector Tick Marks (13/L4.00)
- ⑧ Javelin Throwing Sector Paint Striping (by others)
- ⑨ Protect Valve Box, Adjust to Grade
- ⑩ Protect fence, remove and reinstall fabric to facilitate paving as required.

Note: See civil drawings for paving in vehicular areas.

**Landscape Layout Points**

- ▲ N 10,000.00  
E 10,000.00
- Indicates point in feet North and East of Survey drawing origin.

- Landscape Grading and Drainage**  
See sheets C4.01 - C4.03 for grading of vehicular areas
- 1%— Percent Slope & Direction (rise/run downward)
  - (---) Proposed Contour
  - Existing Contour
  - Swale and Slope (downward)
  - + 100.00 XX Spot Elevation  
Description (FG when omitted)
- Description Abbreviations:**
- BW Back of Walk
  - EX Existing
  - FL Flow Line
  - FG Finish Grade
  - ME Match Existing
  - RM Rim of Structure



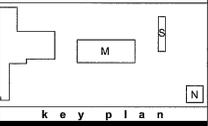
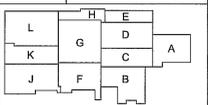
**McMINNVILLE SCHOOL DISTRICT**  
1500 NE Baker Street McMinnville, OR 97205  
tel: 503 565-4000 fax: 503 565-4030  
www.ms.d.k12.or.us



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tel: 503 226 6950 fax: 503 273 9192  
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**McMinnville High School Addition and Remodel - Phase 1**  
**McMinnville School District**  
615 NE 15th Street, McMinnville, OR 97128  
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revisions	
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**LANDSCAPE SITE PLAN**  
**L1.02**





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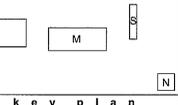
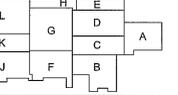


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**NICHOLAS G. WILSON LANDSCAPE ARCHITECTURE**

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**McMinnville School District**  
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 f: (503) 565-4030



phase PERMIT SET

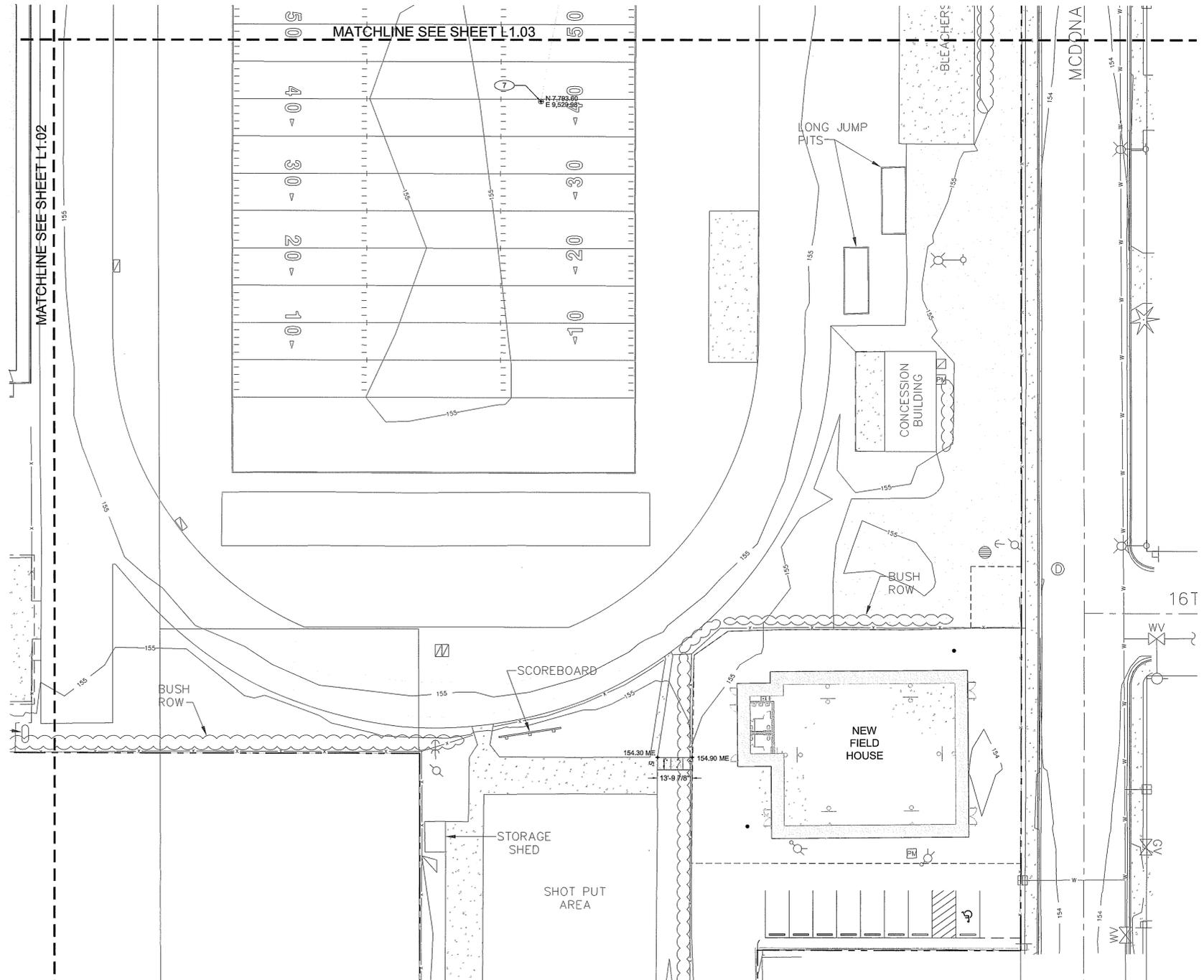
date 12/16/16

revisions

project # 16029

**LANDSCAPE SITE PLAN**

**L1.04**



**LEGEND**

- 4" Concrete Paving w/ Control Joints (11/L4.00)  
Indicates direction of broom finish
- 6" Concrete Paving w/ Control Joints (2/L4.00)  
Isolation Joint
- Asphalt Paving with Rubber Track Surfacing (7/L4.00)
- Rubber Track Surfacing over existing AC Paving
- Asphalt Concrete Paving (6/L4.00)
- Existing Concrete Paving to Remain
- Sawcut

- Landscape Grading and Drainage**  
 See sheets C4.01 - C4.03 for grading of vehicular areas
- 1% Percent Slope & Direction (rise/run downward)
  - Proposed Contour
  - Existing Contour
  - Spot and Slope (downward)
  - Spot Elevation  
Description (FG when omitted)
- Description Abbreviations:**
- BW Back of Walk
  - EX Existing
  - FL Flow Line
  - FG Finish Grade
  - ME Match Existing
  - RM Rim of Structure

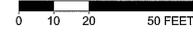
**Keyed Notes:**

- ① Concrete Curb Ramp (11/L4.00)
- ② Concrete Driveway Apron (10/L4.00)
- ③ Concrete Mow Curb (5/L4.00)
- ④ Catch Basin, 18" unless otherwise indicated (6/L4.00)
- ⑤ Javelin Runway Paint Striping (12/M.00)
- ⑥ Javelin Throwing Sector Tick Marks (13/M.00)
- ⑦ Javelin Throwing Sector Paint Striping (by others)
- ⑧ Protect Valve Box, Adjust to Grade
- ⑩ Protect fence, remove and reinstall fabric to facilitate paving as required.

Note: See civil drawings for paving in vehicular areas.

**Landscape Layout Points**

± N 10,000.00  
 ± E 10,000.00 Indicates point in feet North and East of Survey drawing origin.

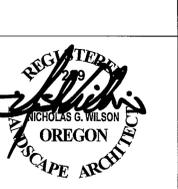




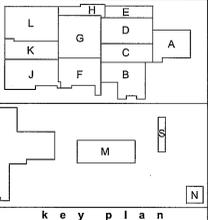
**McMINNVILLE SCHOOL DISTRICT**  
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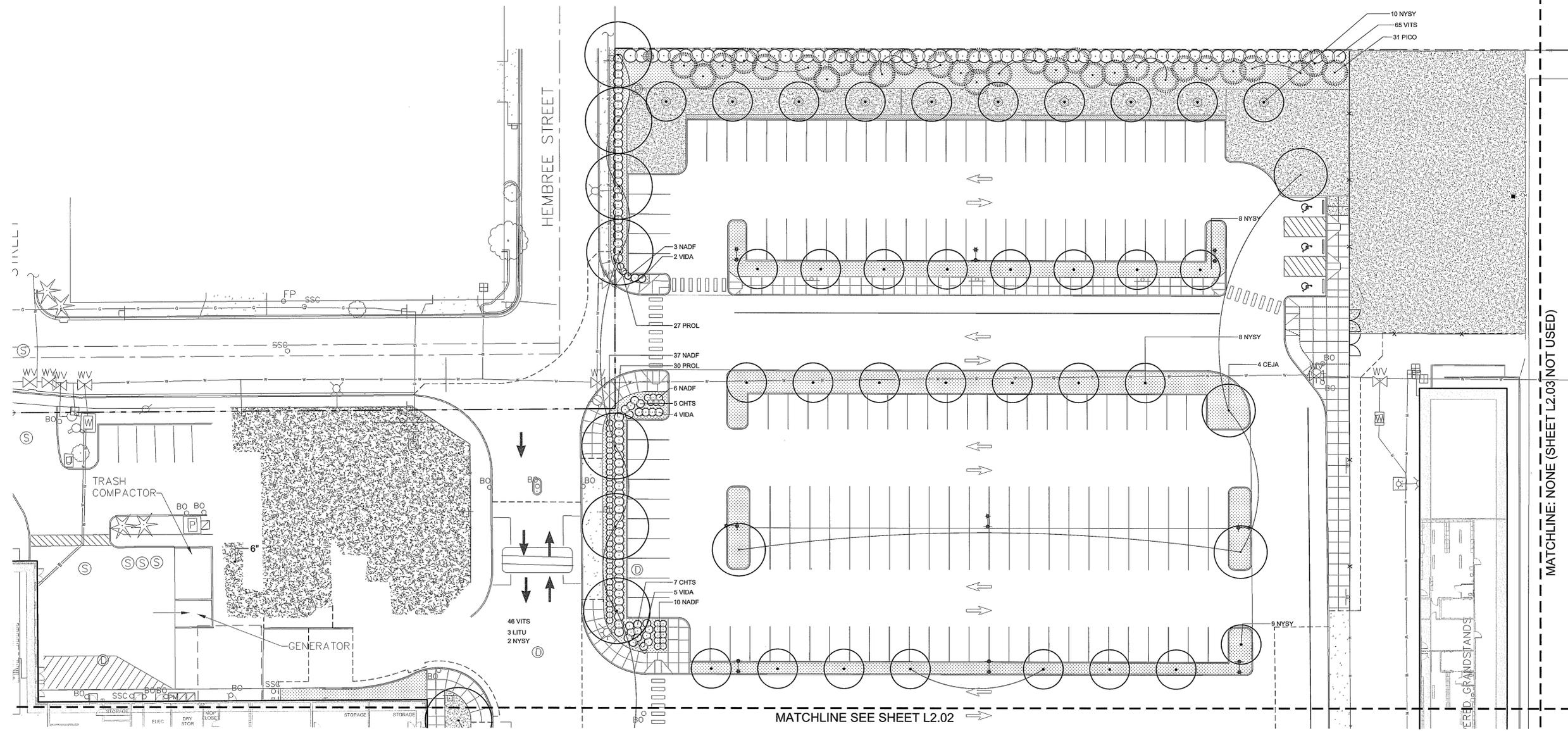


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revisions	
project #	16029

**PLANTING PLAN**  
**L2.01**



**PLANT LIST**

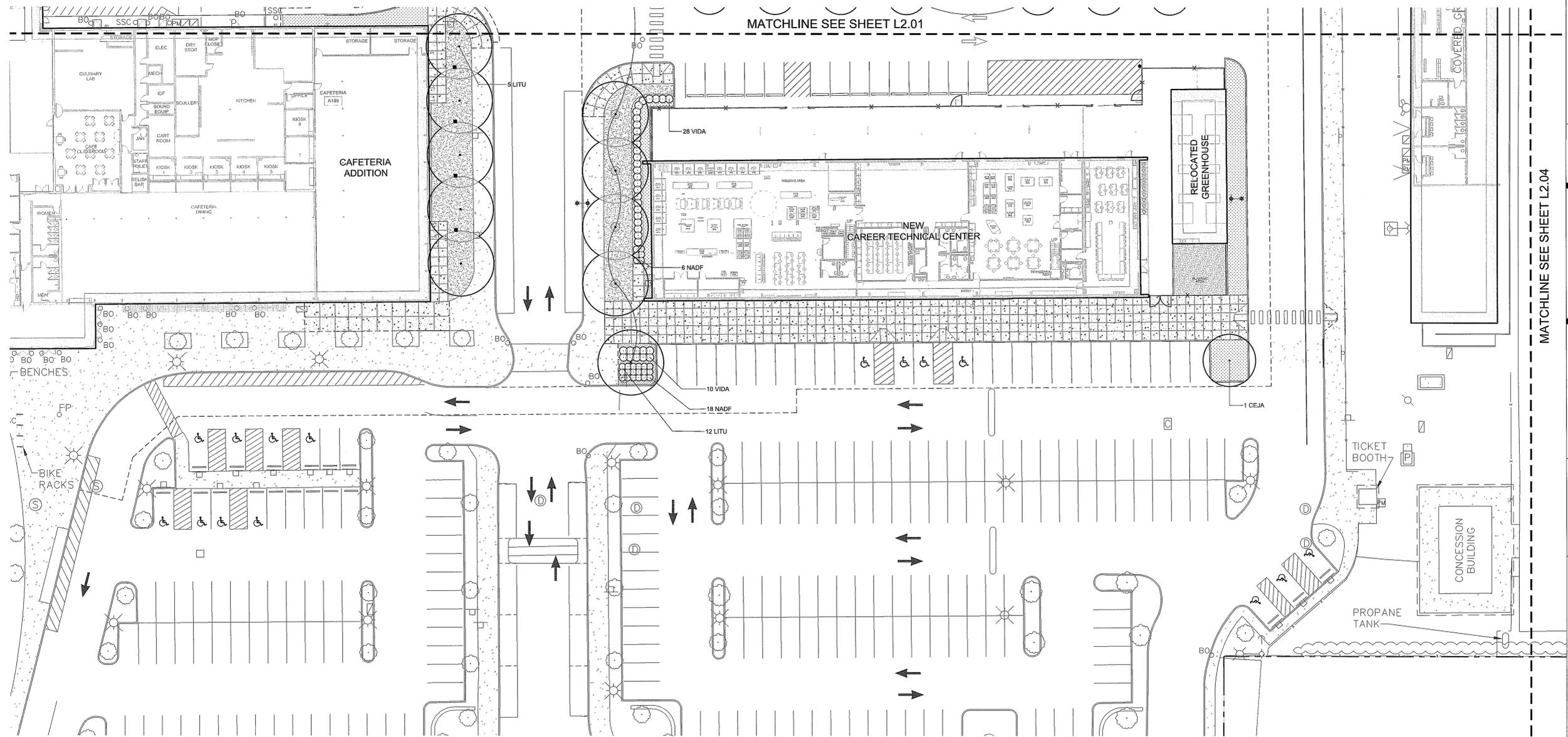
KEY	BOTANICAL NAME	COMMON NAME	SIZE	SPACING	COUNT
TREES					
CEJA	Cercidiphyllum japonicum 'Red Fox'	Red Fox Katsura Tree	2"	20	5
LITU	Liriodendron tulipifera 'Emerald City'	Emerald City Tulip Tree	2"	25	15
NYSY	Nyssa sylvatica 'NSUHH' PP 22951	Green Gable Tupelo	2"	25	34
PICO	Pinus contorta	Shore Pine	6'	10	31
SHRUBS					
CHTS	Choloya ternata 'Sundance'	Sundance Mexican Orange	#5	3	12
PROL	Prunus laurocerasus 'Otto Luyken'	Otto Luyken Laurel	#5	3.5	57
NADF	Nandina domestica 'Firepower'	Firepower Nandina	#5	2	80
THOE	Thuja occidentalis 'Emerald'	Emerald American Arborvitae	5'	2.5	36
VIDA	Viburnum davidii	David Viburnum	#5	3	48
VITS	Viburnum tinus 'Spring Bouquet'	Compact Viburnum	#5	5	65

**GROUND COVER**

LAWN	Lolium perenne	Perennial ryegrass	Seed
SEED		Temporary erosion control seeding	
BARK		Bark Mulch Only	
CAGG		Crushed Aggregate Surfacing 9/4.00	

Notes:  
 1. Plant Legend is repeated on each planting plan sheet for convenience. Quantities shown are for the entire project.  
 2. Bark mulch is required in all shrub beds including under trees and shrubs. Sympol is omitted under shrubs for graphic clarity.





**PLANT LIST**

KEY TREES	BOTANICAL NAME	COMMON NAME	SIZE	SPACING	COUNT
CEJA	<i>Cercidiphyllum japonicum</i> 'Red Fox'	Red Fox Katsura Tree	2"	20	5
LITU	<i>Liriodendron tulipifera</i> 'Emerald City'	Emerald City Tulip Tree	2"	25	15
NYSY	<i>Nyssa sylvatica</i> 'NSUH1' PP 22851	Green Gable Tupelo	2"	25	34
PICO	<i>Pinus contorta</i>	Shore Pine	6"	10	31
SHRUBS					
CHTS	<i>Choloya ternata</i> 'Sundance'	Sundance Mexican Orange	#5	3	12
PROL	<i>Prunus laurocerasus</i> 'Otto Luyken'	Otto Luyken Laurel	#5	3.5	57
NADP	<i>Nandina domestica</i> 'Firepower'	Firepower Nandina	#5	2	80
THOE	<i>Thuja occidentalis</i> 'Emerald'	Emerald American Arborvitae	5"	2.5	38
VIDA	<i>Viburnum davidii</i>	David Viburnum	#5	3	48
VITS	<i>Viburnum tinus</i> 'Spring Bouquet'	Compact Viburnum	#5	5	65

**GROUND COVER**

LAWN	<i>Lolium perenne</i>	Perennial ryegrass	Seed
SEED	Temporary erosion control seeding		
BARK	Bark Mulch Only		
CAGG	Crushed Aggregate Surfacing 9/4.00		

- Notes:  
 1. Plant Legend is repeated on each planting plan sheet for convenience. Quantities shown are for the entire project.  
 2. Bark mulch is required in all shrub beds including under trees and shrubs. Symbol is omitted under shrubs for graphic clarity.



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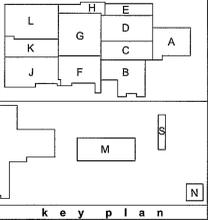


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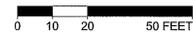
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**McMinnville School District**  
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phase PERMIT SET  
 date 12/16/16  
 revisions

project # 16029  
**PLANTING PLAN**

**L2.02**



MATCHLINE SEE SHEET L2.04

MATCHLINE SEE SHEET L2.01



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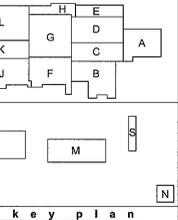
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**ATLAS LANDSCAPE ARCHITECTURE**  
 1355 SW Main St., #210  
 TIGARD, Oregon 97223  
 Tel: (503) 224-5231  
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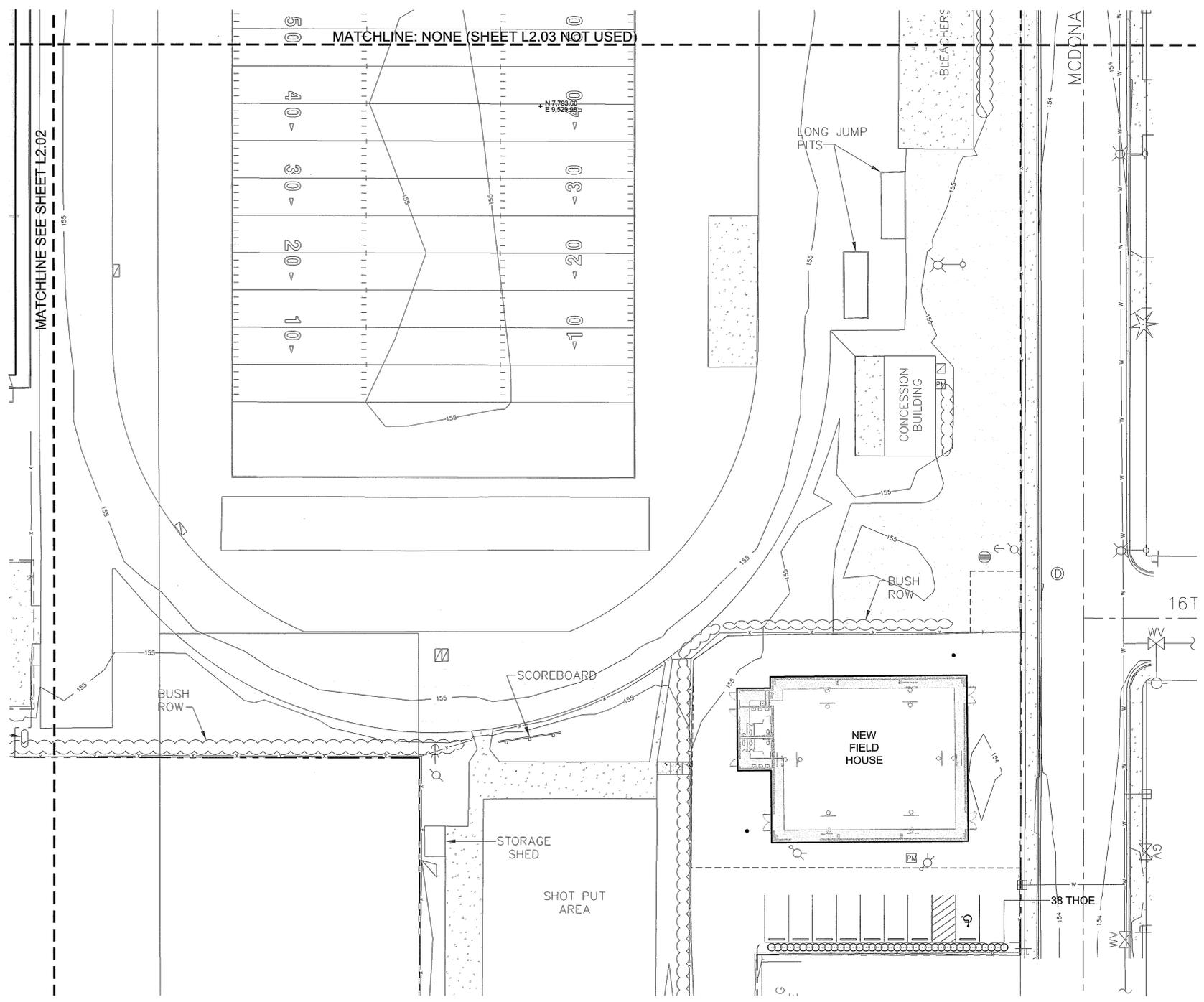


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phase	PERMIT SET
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revisions	
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**PLANTING PLAN**  
**L2.04**



**PLANT LIST**

KEY	BOTANICAL NAME	COMMON NAME	SIZE	SPACING	COUNT
<b>TREES</b>					
CEJA	<i>Cercidiphyllum japonicum</i> 'Red Fox'	Red Fox Katsura Tree	2"	20	5
LITU	<i>Liriodendron tulipifera</i> 'Emerald City'	Emerald City Tulip Tree	2"	25	15
NYCY	<i>Nyssa sylvatica</i> 'NSUHS' PP 22951	Green Gable Tupelo	2"	25	34
PICO	<i>Pinus contorta</i>	Shore Pine	6"	10	31
<b>SHRUBS</b>					
CHTS	<i>Choisya ternata</i> 'Sundance'	Sundance Mexican Orange	#5	3	12
PROL	<i>Prunus laurocerasus</i> 'Otto Luyken'	Otto Luyken Laurel	#5	3.5	57
NADF	<i>Nandina domestica</i> 'Firepower'	Firepower Nandina	#5	2	80
THOE	<i>Thuja occidentalis</i> 'Emerald'	Emerald American Arborvitae	5'	2.5	38
VIDA	<i>Viburnum davidii</i>	David Viburnum	#5	3	48
VITS	<i>Viburnum tinus</i> 'Spring Bouquet'	Compact Viburnum	#5	5	65

**GROUND COVER**

LAWN	<i>Lolium perenne</i>	Perennial ryegrass	Seed
SEED		Temporary erosion control seeding	
BARK		Bark Mulch Only	
CAGG		Crushed Aggregate Surfacing	

Notes:  
 1. Plant Legend is repeated on each planting plan sheet for convenience. Quantities shown are for the entire project.  
 2. Bark mulch is required in all shrub beds including under trees and shrubs. Symbol is omitted under shrubs for graphic clarity.





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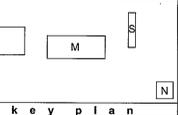
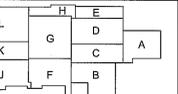
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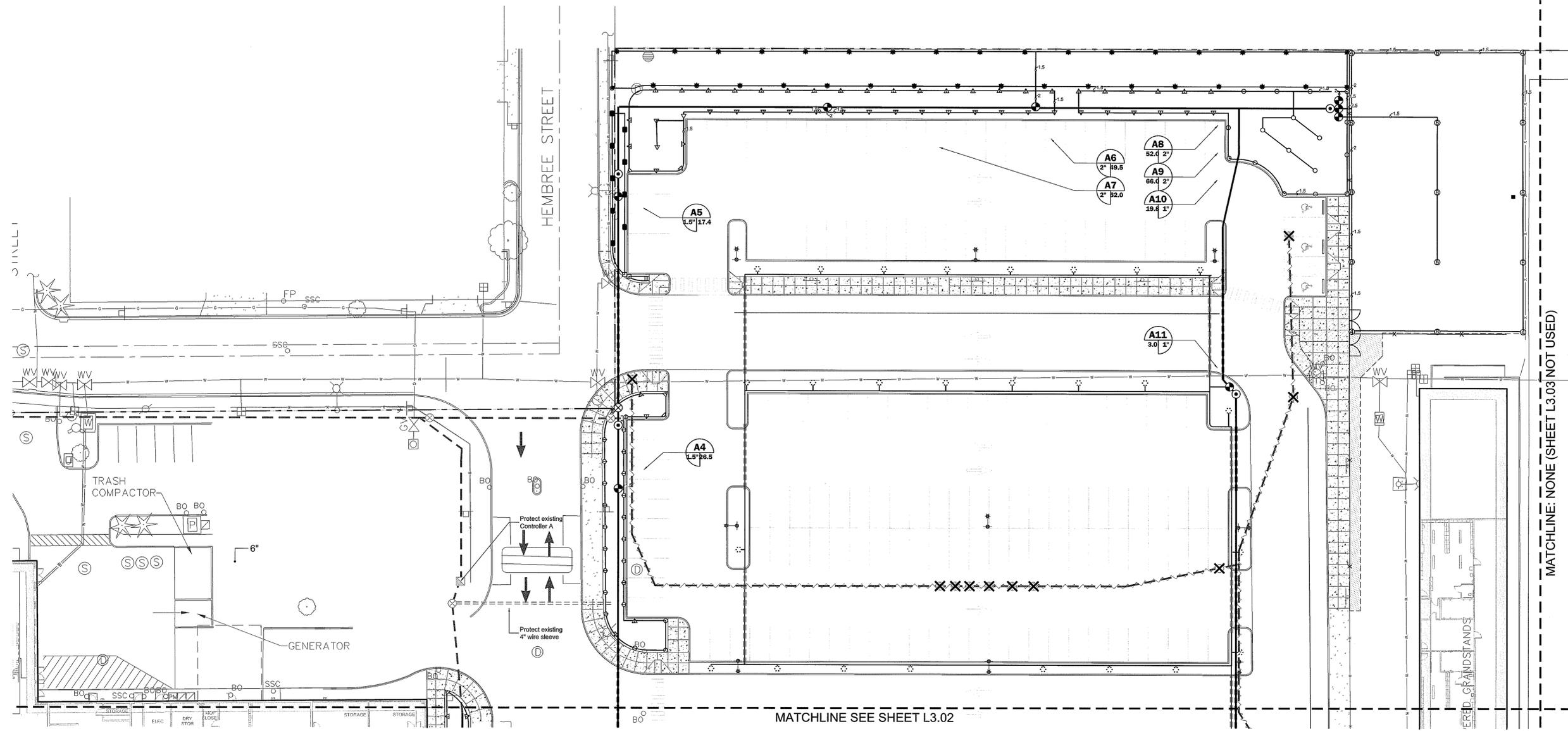


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project #	16029

**IRRIGATION PLAN**  
**L3.01**



MATCHLINE SEE SHEET L3.02

MATCHLINE: NONE (SHEET L3.03 NOT USED)

**IRRIGATION LEGEND**

SYMBOL	MODEL	RADIUS	GPM
	Rainbird 1800-SAM-PRS Series (Radius and GPM shown at 30 PSI)		
⊙	8 Series MPR Nozzles, F, H, Q	8'	1.05, .52, .26
⊙	10 Series MPR Nozzles F, H, Q	10'	1.58, .79, .39
⊙	12 Series MPR Nozzles F, H, Q	12'	2.60, 1.30, .65
⊙	15 Series MPR Nozzles F, H, Q	15'	3.70, 1.85, .92
⊙	R17-24	17'-24'	4.06, 2.03, 1.02
■	9-SST, Strip Series MPR	9' x 8'	1.73
□	15-SST, 15-EST Strip Series MPR	4' x 15' x 30'	1.21, .61
▣	15-LCS, 15-RCS Strip Series MPR	4' x 15'	.49
⊙	Falcon 6504 Rotor, # 4, #8 Noz.	41', 49'	3.3, 6.6

**NOTES**

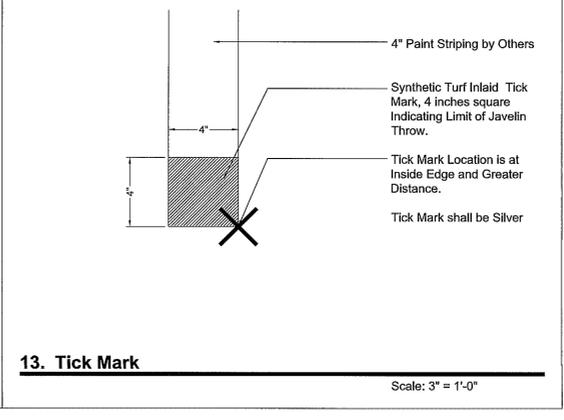
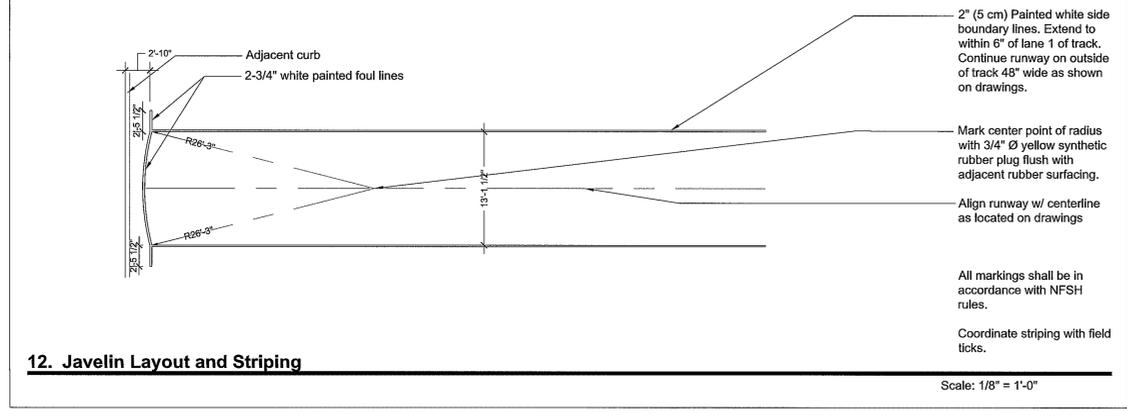
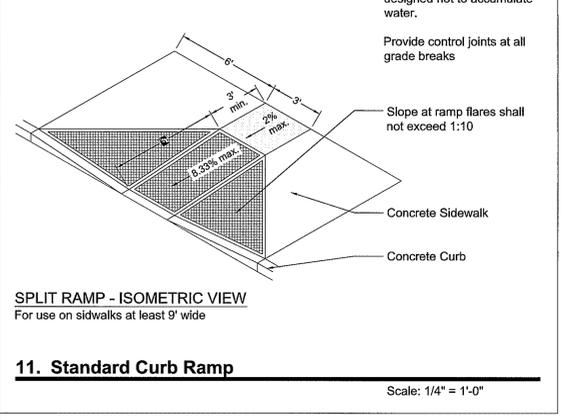
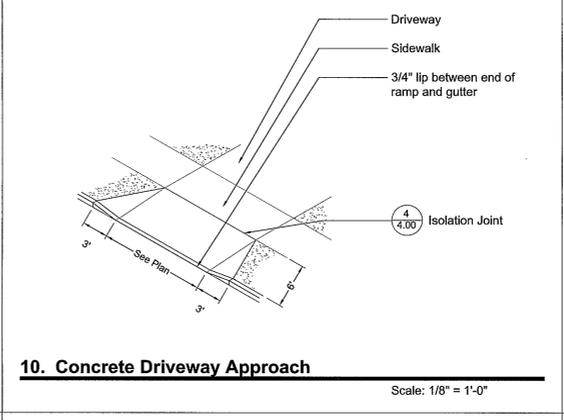
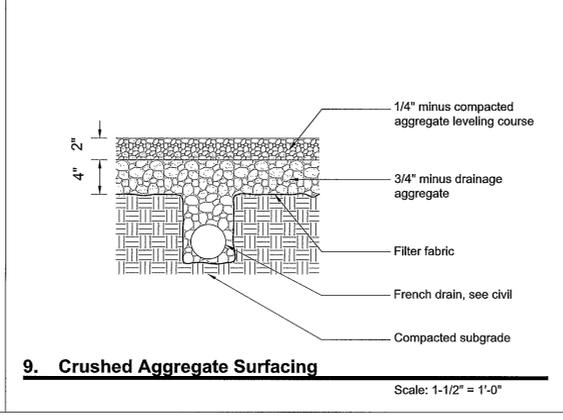
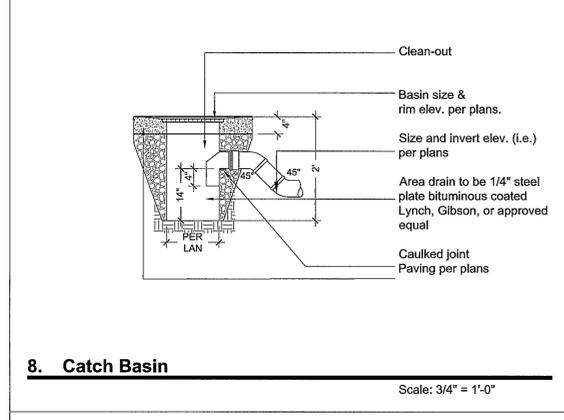
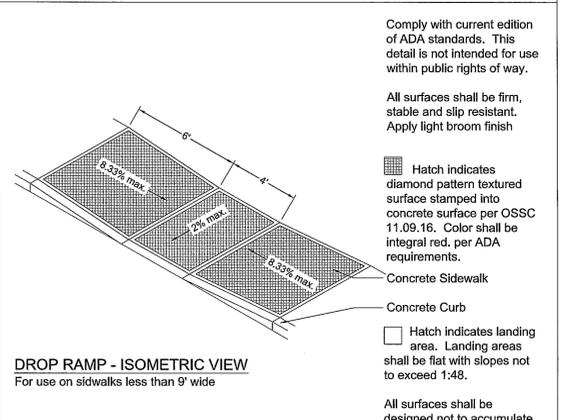
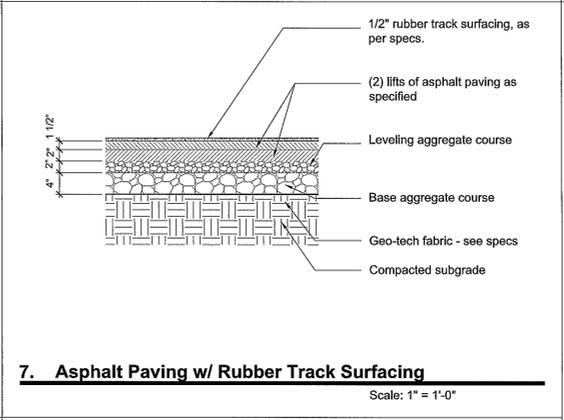
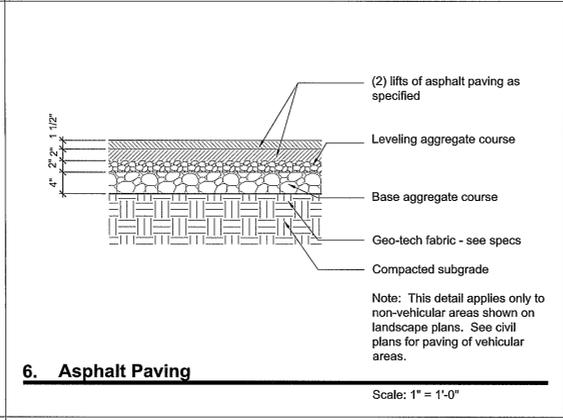
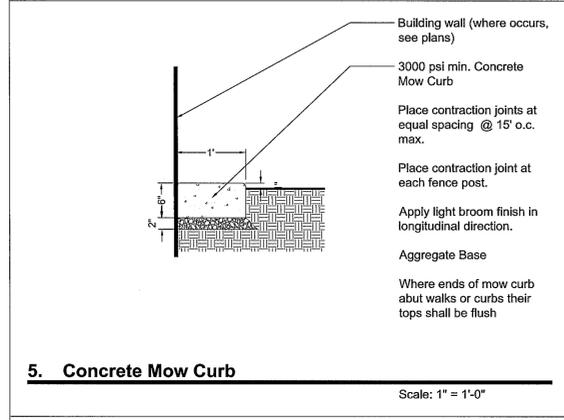
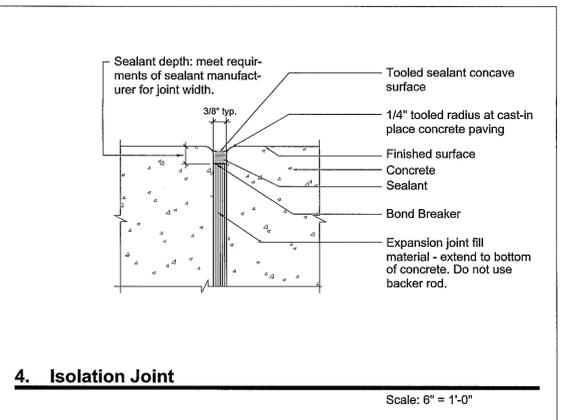
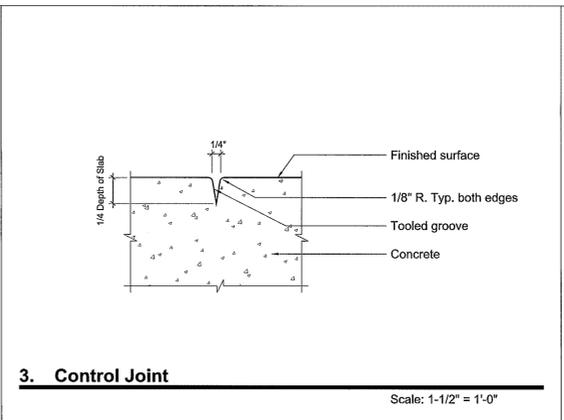
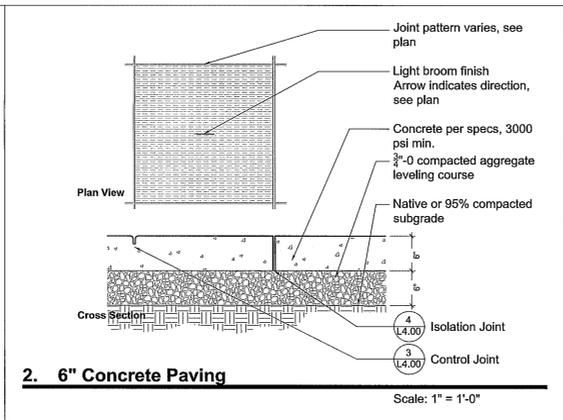
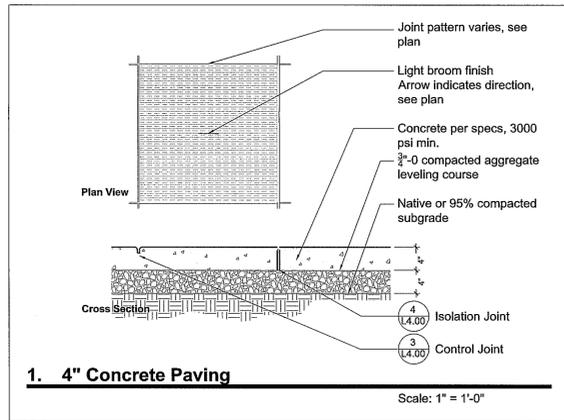
- ATTENTION: Oregon law requires you to follow rules adopted by the Oregon Utility Notification Center. Those rules are set forth in OAR 952-001-0010 through OAR 952-001-0090. You may obtain copies of the rules by calling the center. (Note: the telephone number for the Oregon Utility Notification Center is (503) 232-1987).
- Protect existing irrigation system except as noted.
- Field adjust heads and arcs for 100% coverage with minimal overspray.
- System is designed to operate at 60 psi at point of connection. Notify Owners Representative prior to beginning work if field measurements differ.
- Irrigation laterals, mainline and valves may be shown outside planter areas for diagrammatic purposes only. Locate irrigation equipment inside planter areas except where irrigation sleeves indicate that piping is to cross under paving.
- Unless otherwise indicated, use 4" pop-ups in lawn areas and 6" pop-ups in shrub areas.

SYMBOL	PRODUCT	MODEL
■	Backflow Preventer	Per specifications
⊕	Remote Control Valve	Per specifications
⊙	Quick Coupling Valve	Per specifications
⊗	Isolation Valve	Per specifications
⊕ ⊗ ⊙ ⊕	Existing controller, control, isolation, quick coupling valves to remain	
XXXX	Existing equipment to be removed	
----	Sch. 40 PVC Irrigation Sleeve, min. 2x size of encased pipe	
—	Class 200 PVC Mainline, 3" unless otherwise indicated	
—	1" Class 200 PVC lateral line	
—	Class 200 PVC lateral line, size as indicated (inches)	
---	Existing 3" PVC Irrigation Mainline (save and protect)	
---	Join New Mainline to Existing Mainline	
---	Existing Irrigation Mainline (abandon)	
---	Cap Existing Mainline	
⊙	Rainbird XFD-09-12 Dripline, 30" dia., center on tree	
⊙	Rainbird XFD-09-12 Dripline	
A1	Description of remote control valve controller & zone, number	
⊙	Valve size, GPM	









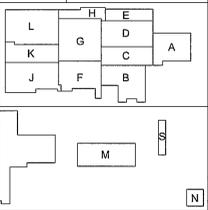
**McMINNVILLE SCHOOL DISTRICT**  
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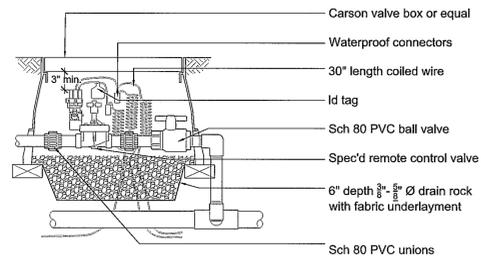


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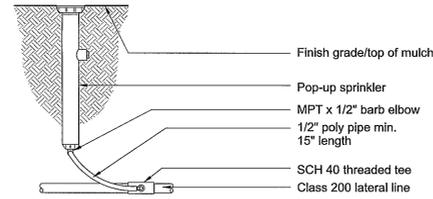
phase	PERMIT SET
date	12/16/16
revisions	
project #	16029
DETAILS	

**L4.00**



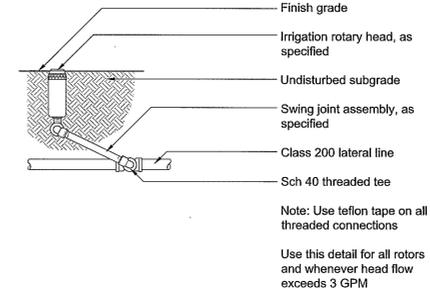
**13. Remote Control Valve**

Scale: 1-1/2" = 1'-0"



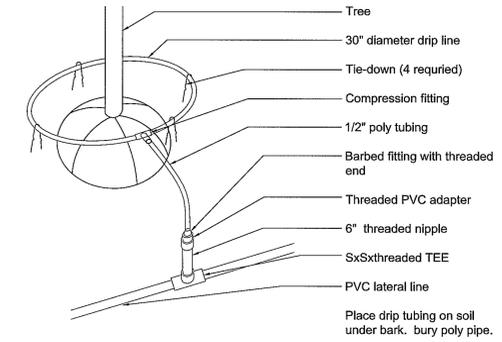
**14. Pop-up Spray Head**

Scale: 1" = 1'-0"



**15. Rotary Pop-up Sprinkler**

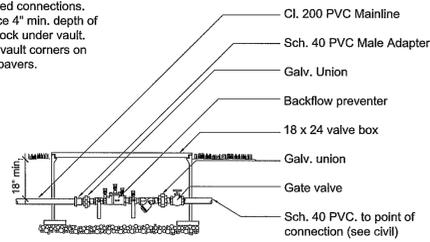
Scale: 1" = 1'-0"



**16. Dripline at Tree**

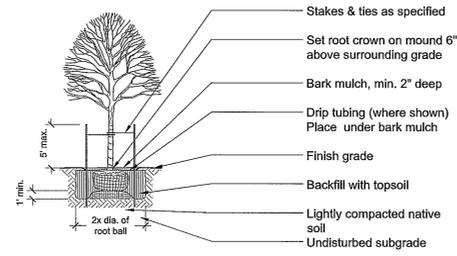
Scale: 1-1/2" = 1'-0"

Notes:  
1. Use teflon tape on all threaded connections.  
2. Place 4" min. depth of drain rock under vault.  
3. Set vault corners on conc. pavers.



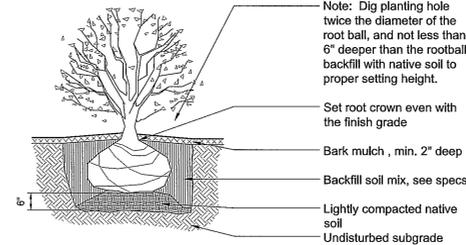
**17. Backflow Preventer**

Scale: 1/4" = 1'-0"



**18. Tree Planting**

Scale: 1/8" = 1'-0"



**19. Shrub Planting**

Scale: 1/2" = 1'-0"



**MCMINNVILLE SCHOOL DISTRICT**

1500 NE Baker Street  
tel 503 555-4000  
www.msdk12.or.us

McMinnville OR 97205  
fax 503 555-4030



**Dull Olson Weekes - IBI Group Architects, Inc.**

907 SW Stark Street Portland OR 97205 USA  
tel 503 226 6950 fax 503 273 9192  
www.doww-ibigroup.com www.ibigroup.com



**ATLAS LANDSCAPE ARCHITECTURE**

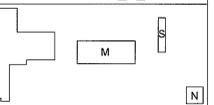
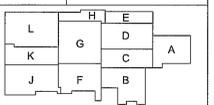
12852 SW Main St., #210  
TIGARD, Oregon 97123  
Tel: (503) 224-9328  
www.atlas-la.com



**McMinnville High School Addition and Remodel - Phase 1**

**McMinnville School District**

615 NE 15th Street, McMinnville, OR 97128  
t: (503) 555-4000  
f: (503) 555-4030



key plan

phase PERMIT SET

date 12/16/16

revisions

project # 16029

DETAILS

## Chuck Darnell

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**From:** Sarah Sullivan  
**Sent:** Friday, December 30, 2016 8:21 AM  
**To:** Chuck Darnell  
**Subject:** FW: L 36-16 Review

I printed this for the file already.

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**From:** David Renshaw  
**Sent:** Thursday, December 29, 2016 5:41 PM  
**To:** Sarah Sullivan  
**Subject:** RE: L 36-16 Review

Hi Sarah, and thanks for the opportunity to review this proposal. Public Works would offer the following comments:

1. The only planting either in the right of way, or directly adjacent, would along Hembree, north of the intersection with 17<sup>th</sup>. The proposed trees at that location, Lirodendron tulipifera, is on the City's approved street tree list. The spacing at this location appears to be about 30', which meets the City's ordinance requirements.
2. From the drawing it appears that the intended location of these trees is behind the sidewalk, and just outside the right of way. If the trees are to be planted in the right of way, then the applicant should be required to plant as per the City's planting detail, and to call Public Works for an inspection prior to backfilling. Given that the plans show irrigation, the requirement for deep watering tubes can be waived. If the trees are to be located outside the public right of way, although outside our purview, staff might suggest that the applicant still consider installing root barrier protection as per the City detail to protect the adjacent sidewalk.
3. The trees along the access drive through the school property south of 17<sup>th</sup> are the same variety as above. Although outside our purview, staff might again suggest the applicant consider root barrier protection to protect adjacent sidewalks.
4. Although outside our purview, the plans show an adequate irrigation system for the landscape.
5. The remaining plantings are interior on the property, and Public Works would have no comments on those elements of the proposal.

Thanks, and please let me know if you have any questions or would like any further information.

---

**From:** Sarah Sullivan  
**Sent:** Friday, December 23, 2016 1:42 PM  
**To:** David Renshaw  
**Cc:** Chuck Darnell  
**Subject:** L 36-16 Review

Good afternoon David,

Can you please review the attached landscape plans for Phase 1 of the High School expansion and return any comments to me by Friday, January 6, 2017.

Sarah Sullivan  
Permit Technician  
City of McMinnville  
231 NE 5<sup>th</sup> Street

From: Trena D. McManus <tdm@mc-power.com>  
Sent: Friday, January 06, 2017 9:06 AM  
To: Sarah Sullivan  
Subject: 15 St NE, 615- L36-16  
Attachments: copier@mc-power.com\_20170106\_091112.pdf; Spec FH-CLR.pdf

Three of the four trees along Hembree St (just north of 17th) are in direct conflict with an existing power line and street light and will create a long term maintenance issue. Contact Water & Light to discuss solutions to this conflict.

See attached map for redline comments.

Trena D. McManus  
Engineering and Operations Assistant  
McMinnville Water and Light  
855 NE Marsh Lane  
PO Box 638  
McMinnville, OR 97128  
(503) 472-6919 x5  
(503) 472-5211 fax  
tdm@mc-power.com



## **EXHIBIT 3 - STAFF REPORT**

**DATE:** January 18, 2017  
**TO:** Landscape Review Committee Members  
**FROM:** Chuck Darnell, Associate Planner  
**SUBJECT:** Agenda Item 4B: Draft Landscape and Tree Ordinance Amendments

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### **Report in Brief:**

The purpose of this discussion item is to review draft amendments to the Landscaping chapter (Chapter 17.57) and 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 including the process of review 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. Tree removal and street tree planting review processes, and the review criteria for each, are described in Chapter 17.58. Regulations related to the protection of trees are also included in this chapter as well as situations in which street tree planting is required, and the street tree standards that must be followed when planting and maintaining street trees.

### **Discussion:**

The Landscape Review Committee reviewed and discussed the existing Landscaping and Tree chapters of the McMinnville Zoning Ordinance, and following the last discussion at the regular meeting on November 16, 2016, staff has developed specific language that could be amended in those chapters. Draft versions of the chapters, showing proposed amendments and deletions of existing text, are attached to this staff report. The specific amendments that are being proposed are as follows:

#### Chapter 17.57 - Landscaping

- 1) Section 17.57.010:

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#### *Attachments:*

*Draft Amendments to Chapter 17.57 – Landscaping*

*Draft Amendments to Chapter 17.58 – Trees*

*Draft Amendments to City Code – Creating Bylaws for Landscape Review Committee*

Existing Language: This section describes the purpose and intent of the landscaping section of the McMinnville Zoning Ordinance.

Suggested Amendment: The suggested language in the attached draft version of the landscaping chapter provides a more robust purpose and intent statement related to landscaping in McMinnville. This amended purpose statement was drafted by former Planning Director Doug Montgomery, and was intended to be updated to better describe the intent of requiring landscaping as part of development in the city. The revised purpose statement provides for more arguments for requiring landscaping, and could be referred to when reviewing individual landscape plans.

2) 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: Review period changed from 10 working days to 30 calendar days, to more accurately reflect existing practice and provide for sufficient staff time to thoroughly review plans. The language will require that review take place within 30 days, which will provide flexibility for the Landscape Review Committee to meet earlier to review a plan if necessary.

3) 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. Also added that minor changes in the landscape plan shall be allowed, as determined by the Planning Director or their designee. This language already existed, but as amended would clearly provide for staff to make the determination of whether minor changes in landscaping were acceptable when staff is completing their landscaping inspections.

4) Section 17.57.040 (F)

Existing Language: Section 17.57.040 lists the information that must be included on submitted landscape plans.

Suggested Amendment: Staff is suggesting that an additional piece of information be required to be included on submitted landscape plans, which is "the location of watering facilities or irrigation systems, or construction notes on the landscape plan detailing the type of watering facilities or irrigation systems that will be installed". Irrigation or watering facilities are a requirement for landscaped areas, and staff believes that having this listed in the information that must be included on plans will ensure that applicants are aware of that up front.

5) 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."

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*Attachments:*

*Draft Amendments to Chapter 17.57 – Landscaping*

*Draft Amendments to Chapter 17.58 – Trees*

*Draft Amendments to City Code – Creating Bylaws for Landscape Review Committee*

Suggested Amendment: Add the following statement: “Minor changes in the landscape plan, such as like-for-like replacement of plants, shall be allowed, as long as they do not alter the character and aesthetics of the original plan. It shall be the Planning Director’s decision as to what constitutes a major or minor change. Major changes to the landscape plan shall be reviewed and approved by the Landscape Review Committee.”

6) Section 17.57.080:

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: The City will be moving the Landscape Review Committee bylaws from the zoning ordinance, and instead adopting them in a section of the City Code that relates to all city commissions and committees. As previously discussed, the Landscape Review Committee would become a committee with 5 regular members, and a majority of active members would constitute a quorum. Committee members would still serve three year terms, as they currently do today. A draft version of the City Code language that the City is proposing is attached for your review.

Chapter 17.58 - Trees

1) Section 17.58.020:

Existing Language: Section 17.58.020 defines the types of trees that are applicable to the requirements of the Trees chapter of the zoning ordinance. The existing language is somewhat vague on when a tree is located in the right-of-way.

Suggested Amendment: Amend the descriptions to be clearer and more distinct as to when trees are located in the right-of-way. As proposed, any tree with a trunk that is partially or completely within the right-of-way would be applicable and would require City approval to be removed.

2) Section 17.58.040 (A):

Existing Language: “Requests for tree removal or pruning of trees outside of the downtown tree zone shall be forwarded to the McMinnville Landscape Review Committee for a decision within fifteen days of submittal.”

Suggested Amendment: Amend the review period from 15 days to 30 calendar days, to more accurately reflect existing practice and provide for sufficient staff time to thoroughly review requests. The language will require that review take place within 30 days, which will provide flexibility for the Landscape Review Committee to meet earlier to review a request if necessary. Some other minor text amendments are proposed in this section to address errors in the text.

3) Section 17.58.040 (D):

Existing Language: “Approval of a request to remove a tree may be conditioned upon replacement of the tree with another tree approved by the city, or a requirement to pay to the city an amount sufficient to fund the planting and establishment by the city of a tree, or trees, of similar value.”

Suggested Amendment: Add the following statement: “Every attempt should be made to plant replacement trees in the same general location as the tree being removed. In the event that a replacement tree cannot be planted in the same general location, a condition of approval may be

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*Attachments:*

*Draft Amendments to Chapter 17.57 – Landscaping*

*Draft Amendments to Chapter 17.58 – Trees*

*Draft Amendments to City Code – Creating Bylaws for Landscape Review Committee*

required to allow for the replacement tree to be planted in another location in the City as part of the City's annual park tree planting program."

4) 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: Amended to require that planting of street trees be subject to the design drawings and specifications developed by the City in May 2014. A statement is also proposed to be added to allow for the Public Works standards, once those are created and adopted, to apply if they end up being different from the standards on the City's existing specifications. As discussed at the November 16, 2016 Landscape Review Committee meeting, the Landscape Review Committee will be involved in those discussions as they occur.

5) Section 17.58.060:

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

Suggested Amendment: Add an exemption for the following: "Tree Impacting Public Infrastructure – If a tree is causing damage to or impacting public infrastructure that the adjacent property owner is not responsible for repairing, such as pedestrian ramps, utility vaults, or public storm or sanitary sewer lines, the tree removal may be approved by the Planning Director or their designee. The removal shall be in accordance with International Society of Arboriculture (ISA) standards. In the event that a replacement tree cannot be planted in the same general location as the tree removed, the replacement tree may be planted in another location in the City as part of the City's annual park tree planting program."

6) 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: Amend to state: "The species of the street trees to be planted shall be chosen from the McMinnville Street Tree List, as approved by Resolution 2016-22, unless approval of another species is given by the McMinnville Landscape Review Committee. The Landscape Review Committee may periodically update the McMinnville Street Tree List as necessary to reflect current arborist practices and industry standards."

7) Section 17.58.090 (D):

Existing Language: This standard is related to the minimum planting strips required for certain types of roadways.

Suggested Amendment: Add the following statement: "These standards may be superseded by design drawings and specifications as periodically developed and adopted by the City." This will allow for the Public Works standards, once those are created and adopted, to apply if they end up being different from the standards on the City's existing specifications.

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*Attachments:*

*Draft Amendments to Chapter 17.57 – Landscaping*

*Draft Amendments to Chapter 17.58 – Trees*

*Draft Amendments to City Code – Creating Bylaws for Landscape Review Committee*

8) 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: Amend to allow for the design to follow "updated design drawings and specifications as periodically developed and adopted by the City". Again, this will allow for the Public Works standards, once those are created and adopted, to apply if they end up being different from the standards on the City's existing specifications.

9) 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: Keep the existing language, but add the following as an additional provision: "Street tree plans, or landscape plans including street trees, shall be maintained in perpetuity. In the event that a street tree must be replaced, the adjacent property owner or developer shall plant a replacement tree of a species from the approved street tree or landscape plan."

**Fiscal Impact:**

None.

**Recommendation/Suggested Motion:**

Staff is recommending that the Landscape Review Committee recommend to the Planning Commission that the Landscape and Trees chapters of the zoning ordinance be amended as suggested by staff and as shown in the attachments to this staff report. The Planning Department would then present the proposed zoning ordinance amendments and bring them forward through the official Planning Commission and City Council review processes.

**Motion: "I move to recommend to the Planning Commission that the Landscape and Tree chapters (Chapters 17.57 and 17.58) of the zoning ordinance be amended as suggested by staff and as supported by the Landscape Review Committee."**

CD:sjs

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*Attachments:*

*Draft Amendments to Chapter 17.57 – Landscaping*

*Draft Amendments to Chapter 17.58 – Trees*

*Draft Amendments to City Code – Creating Bylaws for Landscape Review Committee*

## Chapter 17.57

### LANDSCAPING

#### Sections:

- 17.57.010 Purpose and intent.
- 17.57.020 Definitions.
- 17.57.030 Plans—Submittal and review—Approval—Time limit for completion.
- 17.57.040 Plans—Information to be included.
- 17.57.050 Area determination—Planning factors.
- 17.57.060 Zones where required.
- 17.57.065 Specific uses requiring landscaping.
- 17.57.070 Central business district.
- 17.57.080 Plan review committee.
- 17.57.090 Credit for work in public right-of-way.
- 17.57.100 Appeal—Planning Commission to act.

17.57.010 Purpose and intent. ~~The purpose and intent of this chapter is to enhance the appearance of the city by encouraging quality landscaping which will benefit and protect the health, safety, and welfare of the general public. By relating all the requirements of the zoning ordinance to the project in one review procedure, the review will assist the developer in integrating the uses of the property with the landscaping, will relate the project to surrounding property uses in existence or projected, and will attempt to minimize project costs.~~ **The purpose and intent of this Chapter is to encourage and, where appropriate, require the use of landscape elements, particularly plant materials, in proposed developments in an organized and harmonious manner that will enhance, protect and promote the economic, ecological and aesthetic environment of McMinnville. Landscaping is considered by McMinnville to be an integral part of a complete comprehensive development plan. The City recognizes the value of landscaping in achieving the following objectives:**

- A. **Promote McMinnville as a community that cares about its appearance.**
- B. **Promote the enhancement of its urban forest and tree canopy.**
- C. **Encourage the preservation of existing trees.**
- D. **Establish and enhance a pleasant visual character and structure to the built environment that is sensitive to safety and aesthetic issues.**
- E. **Promote compatibility between land uses by reducing the visual noise and lighting impacts of specific developments on users of the site and abutting properties.**
- F. **Unify development and enhance and define public and private places.**
- G. **Provide guidelines and standards that will:**
  - a. **Reduce soil erosion and the volume and rate of discharge of storm water runoff.**
  - b. **Aid in energy conservation by shading structures from energy losses caused by weather and wind.**
  - c. **Mitigate the loss of natural resources.**

- d. Provide parking lot landscaping to reduce the harmful effects of heat, noise and glare associated with motor vehicle use.
- e. Provide for the creation of safe, attractively landscaped areas adjacent to public streets.
- f. Require the planting of street trees along the City's rights-of-way.
- g. Provide visual screens and buffers that mitigate the impact of conflicting land uses to preserve the appearance, character and value of existing neighborhoods.
- h. Provide shade, and seasonal color.
- i. Reduce glare, noise and heat.

It is further recognized that good landscaping increases property values, attracts potential residents and businesses to McMinnville, and creates safer, more pleasant living and working environments for all residents and visitors to the city.

The guidelines and standards contained in this chapter serve to help McMinnville realize the objectives noted above. These guidelines and standards are intended as minimum standards for landscape treatment. Owners and developers are encouraged to exceed these in seeking more creative solutions both for the enhanced value of their land and for the collective health and enjoyment of all citizens of McMinnville. The landscaping provisions in Section 17.57.050 are in addition to all other provisions of the zoning ordinance which relate to property boundaries, dimensions, setback, vehicle access points, parking provisions and traffic patterns. The landscaping objectives shall also seek to accomplish the purposes set forth in Section 17.03.020. (Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

17.57.020 Definitions. For the purposes of this section, refer to Section 17.06.035 for Landscaping related definitions. (Ord. 4952 §1, 2012).

- 17.57.030 Plans—Submittal and review—Approval—Time limit for completion.
- A. At the time the applicant applies for a building permit, he shall submit, for the Landscape Review Committee, five copies of a landscaping and plot plan. If the plot plan and landscaping plan are separate documents, five copies of each shall be submitted. These may be submitted to the Building Department to be forwarded to the Planning Department.
    - 1. The applicant will receive approval solely for the landscaping plan prior to applying for a building permit, if he submits the above documents for review in accordance with these provisions. No building permit shall be issued until the landscaping plan has been approved.
    - 2. The landscaping plan may be used as the plot plan required for a building permit, provided all information required for a building permit is provided;
  - B. Landscaping review shall occur within ~~tenthirty~~ thirty 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 ~~tenthirty~~ thirty working days shall be considered as approval of the plan;
  - C. The landscaping plan shall be approved if it is found to be compatible with the purpose, intent, and requirements of this chapter. Approval of the

- landscaping plan shall be indicated upon the plot plans. Any modifications shall be specified on the plans and agreed to in writing by the applicant prior to the issuance of a building permit. One copy of said approved plan shall be retained by the Planning Department and included within the permanent file;
- D. Occupancy permits may be issued prior to the complete installation of all required landscaping if security equal to 120 percent of the cost of landscaping, as determined by the Planning Director (~~or Director of Parks and Recreation~~) is filed with the City assuring such installation within a time specified by the Planning Director, but not to exceed six months after occupancy. The applicant shall provide the estimates of landscaping materials and installation to the satisfaction of the Planning Director prior to approval of the security. "Security" may consist of a faithful performance bond payable to the City, cash, certified check, time certificate of deposit, or assignment of a savings account, and the form shall meet with the approval of the City Attorney. If the installation of the landscaping is not completed within the period specified by the Planning Director, or within an extension of time authorized by the Landscape Review Committee, the security may be used by the City to complete the installation. Upon completion of the installation, any portion of the remaining security deposited with the City shall be returned. The final landscape inspection shall be made prior to any security being returned. Any portions of the plan not installed, not installed properly, or not properly maintained shall cause the inspection to be postponed until the project is completed or cause the security to be used by the City;
- E. All completed landscape projects shall be inspected by the ~~Director of Parks and Recreation~~ **Planning Director or their designee**. Said projects shall be found to be in compliance with the approved plans prior to the issuance of an occupancy certificate for the structure, or prior to any security or portion thereof being refunded to the applicant. Minor changes in the landscape plan shall be allowed, **as determined by the Planning Director or their designee**, as long as they do not alter the character and aesthetics of the original plan. (Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

17.57.040 Plans—Information to be included. The following information shall be included in the plans submitted under Section 17.57.030:

- A. Existing locations of trees over six inches in diameter, their variety (common or botanical name) and indication of whether they are to remain or to be removed from the site. In the event a large number of trees are to be retained, the general area with the number of trees involved may be given in lieu of listing and locating each tree;
- B. The location in which new plantings will be made and the variety (common or botanical name), and size of all new trees, shrubs, groundcover and lawns;
- C. The percentage of the gross area to be landscaped;
- D. Any equipment proposed for recreation uses;
- E. All existing and proposed site features including walkways, graveled areas, patios, courts, fences, decks, foundations, potted trees, or other open spaces so that the review committee may be fully knowledgeable of the project when discussing the application;

F. **The location of watering facilities or irrigation systems, or construction notes on the landscape plan detailing the type of watering facilities or irrigation systems that will be installed;**

G. All of the information on the plot plan for the building permit. (Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

17.57.050 Area Determination—Planning factors.

A. Landscaping shall be accomplished within the following ranges:

1. Industrial, at least seven percent of the gross area. This may be reduced to not less than five percent upon approval of the review committee. (The gross area to be landscaped may only be reduced by the review committee if there is a showing by the applicant that the intent and purpose of this chapter and subsection B of this section are met.)
2. Commercial, at least seven percent of the gross area. This may be reduced to not less than five percent upon approval of the review committee. (The gross area to be landscaped may only be reduced by the review committee if there is a showing by the applicant that the intent and purpose of this chapter and subsection B of this section are met.)
3. Multiple-family, twenty-five percent of the gross area. This may be reduced to not less than fifteen percent upon approval of the review committee. (The gross area to be landscaped may only be reduced by the review committee if there is a showing by the applicant that the intent and purpose of this chapter and subsection B of this section are met.)
4. A parking lot or parking structure built in any zone providing parking spaces as required by the zoning ordinance shall be landscaped in accordance with the commercial requirements set forth above in subsection 2 of this section.
5. Any addition to or expansion of an existing structure or parking lot which results in additional lot coverage shall be landscaped as follows: Divide the amount of additional lot coverage (building area, not including basement or upper floors, plus required parking and loading zones) by the amount of the existing lot coverage (building area, not including basement or upper floors, plus required parking and loading zones), multiply by the percentage of landscaping required in the zone, multiply by the total lot area of both the original development and the addition; however, the total amount of the landscaping shall not exceed the requirements set forth in this subsection.

a. ALC (additional			
<u>lot coverage)</u>	<b>X</b>	% of landscaping	<b>X</b>
ELC (existing		required	Total
lot coverage)			lot area

b. Landscaping to be installed on an addition or expansion may be spread over the entire site (original and addition or expansion projects) with the approval of the review committee;

B. The following factors shall be considered by the applicant when planning the landscaping in order to accomplish the purpose set out in Section 17.57.010.

The Landscape Review Committee shall have the authority to deny an application for failure to comply with any or all of these conditions:

1. Compatibility with the proposed project and the surrounding and abutting properties and the uses occurring thereon.
  2. Screening the proposed use by sight-obscuring, evergreen plantings, shade trees, fences, or combinations of plantings and screens.
  3. The retention of existing trees and natural areas that may be incorporated in the development of the project. The existing grade should be preserved to the maximum practical degree. Existing trees shall be provided with a watering area equal to at least one-half the crown area.
  4. The development and use of islands and plantings therein to break up parking areas.
  5. The use of suitable street trees in the development of new subdivisions, shopping centers and like developments. Certain trees shall be prohibited in parking areas: poplar, willow, fruit, nut, birch, conifer, and ailanthus.
  6. Suitable watering facilities or irrigation systems must be included in or near all planted areas;
- C. All landscaping approved through the Landscape Review Committee shall be continually maintained, including necessary watering, weeding, pruning, mowing, and replacement. **Minor changes in the landscape plan, such as like-for-like replacement of plants, shall be allowed, as long as they do not alter the character and aesthetics of the original plan. It shall be the Planning Director's decision as to what constitutes a major or minor change. Major changes to the landscape plan shall be reviewed and approved by the Landscape Review Committee.** (Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

17.57.060 Zones where required. Landscaping shall be required in the following zones except as otherwise noted:

- A. R-4 (Multiple-Family Residential zone, except the construction of a Single-Family or Two-Family Residential unit);
- B. C-1 (Neighborhood Business zone);
- C. C-2 (Travel Commercial zone);
- D. C-3 (General Commercial zone);
- E. O-R (Office/Residential zone);
- F. M-L (Limited Light Industrial zone);
- G. M-1 (Light Industrial zone);
- H. M-2 (General Industrial zone). (Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

17.57.065 Specific uses requiring landscaping.

- A. Churches, subject to the landscaping requirements of a multiple-family development when in a residential zone and subject to the landscaping requirements of a commercial development when in a zone other than residential;
- B. Utility substations, subject to the landscaping requirements of commercial uses.

- C. Mobile home park, subject to the requirements of a multiple-family development;
- D. Multiple-family, commercial, and industrial uses in residential planned developments. (Ord. 4264 §1, 1983; Ord. 4254 §1, 1983; Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

17.57.070 Central business district. The central business district shall be divided into two areas as defined in this section:

- A. Area I is that area between Adams Street and the railroad tracks and between Second and Fourth Streets. The landscaping requirements set forth herein shall not apply to this portion of the central business district, except for the provision of street trees according to the city's master plan;
- B. Area II is defined as being that area between Adams and Kirby Streets from First to Fourth Streets, excluding the area in subsection A above. One-half of the landscaping requirements set forth in Section 15.57.050 above shall apply to this area. (Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

~~17.57.080 Plan review committee.~~ All required landscape plans shall be submitted to and reviewed by the Landscape Review Committee.

- ~~A. The review committee shall be appointed by the Common Council while meeting in regular session and shall consist of three five members and two alternate members. At such time as the ordinance codified in this chapter is enacted, the Common Council shall, at a regularly scheduled meeting, appoint a review committee with initial terms of one, two and three years, respectively for the regular members and three year terms for each alternate member. The terms shall be computed from the first Tuesday in January 1978. The Council shall designate the alternate members as first and second alternates. Thereafter, The review committee members appointed and in place as of January 1, 2017 shall finish their appointed term. The Council shall appoint or reappoint members as existing terms expire, and the review committee members as appointed shall serve a three year term, commencing with January of each year. Common Council members, Planning Commissioners, Airport Commissioners, and Water and Light Commissioners shall not serve as review committee members;~~
- ~~B. A majority of the active Landscape Review Committee members shall constitute a quorum. In the event that a regular committee member cannot attend a meeting or cannot participate because of a conflict of interest, the first alternate member shall vote in place of the absentee. In the event two committee members cannot attend a meeting or cannot participate because of a conflict of interest, the first and second alternate members shall vote in place of the absentees. The alternate committee members shall not participate as a voting member of the review committee unless acting in the absence or disqualification of a regular member. (Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).~~

17.57.090080 Credit for work in public right-of-way. The review committee may grant an applicant credit for landscaping done in the public right-of-way provided that if at any time in the future the right-of-way is needed for public use, any landscaping removed

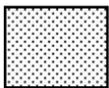
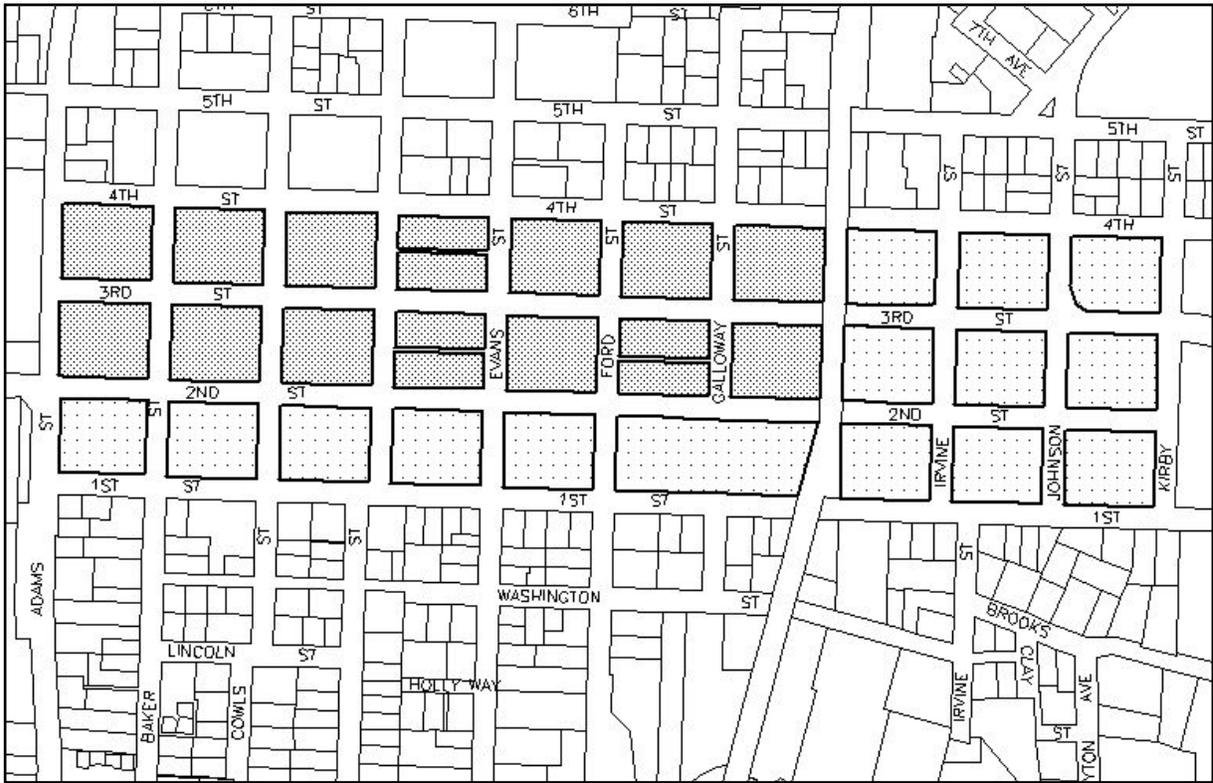
from the right-of-way must be replaced on the subject site. The review committee shall consider the need for future use of the right-of-way for street or utility purposes before granting credit under this section. (Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

17.57.400090 Appeal—Planning Commission to act when.

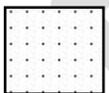
- A. In the event the landscaping is disapproved by the review committee, the applicant may appeal to the Planning Commission within five days after the review committee has considered the plan. The matter shall be set for review by the Planning Commission as set forth in subsection B of this section;
- B. If, after review, the review committee cannot or does not reach a decision on the landscaping plan submitted, the application shall be forwarded to the Planning Commission for review and final disposition. Action on the application will occur at the next regularly scheduled meeting, or with the approval of the Planning Commission chairman, at a work session if scheduled sooner. The applicant shall be notified of the time and place of the review by the Planning Commission and may choose to be present. The absence of the applicant shall not preclude the Planning Commission from reaching a decision;
- C. The review committee may, at their discretion, continue an application pending submittal of further information or detail. (Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

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# REDUCED LANDSCAPING REQUIREMENTS



No Required Landscaping



One-Half Required Landscaping

## Chapter 17.58

### TREES

(as adopted by Ord. 4654B Dec. 9, 1997)

#### Sections:

- 17.58.010 Purpose.
- 17.58.020 Applicability.
- 17.58.030 Definitions.
- 17.58.040 Tree Removal/Replacement.
- 17.58.050 Review Criteria.
- 17.58.060 Permit Exemptions.
- 17.58.070 Topping.
- 17.58.075 Protection of Trees.
- 17.58.080 Street Tree Planting - When Required.
- 17.58.090 Street Tree Standards.
- 17.58.100 Street Tree Plans.
- 17.58.110 Street Tree Planting.
- 17.58.120 Street Tree Maintenance.

17.58.010 Purpose. The purpose of this ordinance is to establish and maintain the maximum amount of tree cover on public and private lands in the city; provide tree-lined streets throughout the city; select, situate and maintain trees appropriately to minimize hazard, nuisance, damage, and maintenance costs; to enhance the appearance, beauty and charm of the City; to implement applicable adopted Downtown Improvement Plan provisions; to promote a diverse, healthy, and sustainable community forest; and to educate the public regarding community forest issues. (Ord. 4816 §2, 2004; Ord. 4654B §1, 1997).

17.58.020 Applicability. The provisions of this ordinance shall apply to:

- A. Individual significant or historic trees as defined in this ordinance.
- B. **All trees or street trees planted in any public area or right-of-way in accordance with an approved street tree plan or landscape plan;**
- C. All trees ~~planted in or upon~~ **with trunks located completely or partially within** any public area or right-of-way;
- D. All trees ~~planted in or upon~~ **with trunks located completely within** any private property which directly affect public infrastructure including but not limited to sewers, water mains, sidewalks, streets, public property, or clear vision distances at street intersections;
- E. All trees on developable land and subject to or undergoing development review such as site plan review, tentative subdivision review, or partition review; (Ord. 4654B §1, 1997).

17.58.030 Definitions. For the purpose of this section, refer to Section 17.06.045 for Tree related definitions. (Ord. 4952 §1, 2012).

17.58.040 Tree Removal/Replacement

- A. The removal or major pruning of a tree, **as defined in Section 17.58.020**, ~~within the public right-of-way~~ shall require City approval, unless specifically designated as exempt by this ordinance. Persons wishing to remove or prune such trees shall file an application for a permit with the McMinnville Planning Department. The applicant shall include information describing the location, type, and size of the subject tree or trees, and the reasons for the desired action. Requests for tree removal or pruning of trees outside of the downtown tree zone shall be forwarded to the McMinnville Landscape Review Committee for a decision within ~~fifteen~~**thirty** days of submittal. Requests for tree removal within the downtown ~~tree zone~~**area** shall be submitted to the McMinnville Planning Department. Such requests shall be acted upon as soon as practicable, with consideration given to public safety, value of the tree to the public, and work schedules. The Planning Director or his designee should attempt to make decisions on such requests within five calendar days of submittal. The Landscape Review Committee or Planning ~~Director~~**Director**, as appropriate, may approve, approve with conditions, or deny the request based on the criteria stated in Section 17.58.050. A decision of the committee or Director may be appealed to the Planning Commission if notice of intent to appeal is filed with the Planning Department within ~~five~~**fifteen** days of the committee's or Director's decision. A decision made by the Planning Director in response to a request to remove an unsafe tree, or a tree causing repeated and excessive damage to sidewalks or other public or private improvements or structures shall be final, unless appealed by the applicant; no other party shall have standing to appeal.
- B. Trees subject to this ordinance shall be removed or pruned following accepted pruning standards adopted by the City. The Planning Director, after consultation with appropriate city staff and/or a certified arborist, shall direct removal of downtown trees that are identified in a current downtown tree zone inventory assessment as unhealthy, dangerous to the public, inappropriate for the downtown area, or otherwise in need of removal.
- C. The applicant shall be responsible for all costs associated with the tree removal or pruning, or as otherwise required by this ordinance, and shall ensure that all work is done in a manner which ensures safety to individuals and public and private property.
- D. Approval of a request to remove a tree may be conditioned upon replacement of the tree with another tree approved by the city, or a requirement to pay to the city an amount sufficient to fund the planting and establishment by the city of a tree, or trees, of similar value. The value of the existing tree to be removed shall be calculated using the methods set forth in the edition then in effect of the "Guide for Plant Appraisal" published by the International Society of Arboriculture Council of Tree Landscape Appraisers. **Every attempt should be made to plant replacement trees in the same general location as the tree being removed. In the event that a replacement tree cannot be planted in the same general location, a condition of approval may be required to allow for the replacement tree to be planted in another location in the City as part of the City's annual park tree planting program.**

- E. The applicant is responsible for grinding stumps and surface roots at least six inches below grade. At least a two inch thick layer of topsoil shall be placed over the remaining stump and surface roots. The area shall be crowned at least two inches above the surrounding grade to allow for settling and shall be raked smooth. The applicant shall restore any damaged turf areas and grades due to vehicular or mechanical operations. The area shall be re-seeded.
- F. Other conditions may be attached to the permit approval by the McMinnville Landscape Review Committee as deemed necessary.
- G. The pruning and removal of street trees within the downtown tree zone shall be the responsibility of the City, and shall be undertaken at public expense.
- H. ~~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.~~ **The planting of street trees shall be subject to the design drawings and specifications developed by the City in May 2014. Specific design drawings and specifications have been developed for trees within the downtown tree zone and for street trees outside the downtown tree zone.** Such design specifications may **be periodically updated by the City to** include **specifications such as** tree root barriers, watering tubes or structures, **tree grates**, 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.
- I. The City shall adopt implementation measures that cause, through rotation over time, the development of a variable aged stand of trees within the downtown tree zone. In order to implement this policy, the Planning Director shall authorize, but shall limit, annual tree removal within the downtown to no more than three (3) percent of the total number of existing downtown trees in the downtown tree zone. (Ord. 4816 §2, 2004; Ord. 4654B §1, 1997).

17.58.050 Review Criteria. A permit for major pruning or tree removal shall be granted if any of the following criteria apply:

- A. The tree is unsafe, dead, or diseased as determined by a Certified Arborist. Verification of tree health may be required, at the expense of the applicant, by a Certified Arborist acceptable to the City.
- B. The tree is in conflict with public improvements.
- C. The proposed removal or pruning is part of an approved development project, a public improvement project where no alternative is available, or is part of a street tree improvement program.
- D. A street tree within the downtown tree zone may also be removed if the Planning Director determines that the tree is causing repeated and excessive damage to sidewalks or other public or private improvements or structures. (Ord. 4816 §2, 2004; Ord. 4654B §1, 1997).

17.58.060 Permit Exemptions.

- A. Hazardous Tree - If an imminent danger exists to the public or any private property owner or occupant, the City may issue an emergency removal

permit. The removal shall be in accordance with International Society of Arboriculture (ISA) standards.

- B. **Tree Impacting Public Infrastructure – If a tree is causing damage to or impacting public infrastructure that the adjacent property owner is not responsible for repairing, such as pedestrian ramps, utility vaults, or public storm or sanitary sewer lines, the tree removal may be approved by the Planning Director or their designee. The removal shall be in accordance with International Society of Arboriculture (ISA) standards. In the event that a replacement tree cannot be planted in the same general location as the tree removed, the replacement tree may be planted in another location in the City as part of the City’s annual park tree planting program.**
- C. Maintenance - Regular pruning maintenance which does not require the removal of over 20 percent of the tree’s canopy, tree topping, or the disturbance of over 10 percent of the tree’s root system is exempt from the provisions of this ordinance.
- D. Removal of downtown trees at the direction and initiative of the City Planning Director. (Ord. 4816 §2, 2004; Ord. 4654B §1, 1997).

17.58.070 Tree Topping It shall be unlawful for any person, firm, or the City to top any tree. Trees severely damaged by storms or other causes or certain trees under utility wires or other obstructions where normal pruning practices are impractical may be exempted at the determination of the McMinnville Landscape Review Committee, applying criteria developed by the City. (Ord. 4654B §1, 1997).

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17.58.075 Protection of Trees

- A. It shall be unlawful for any person to remove, destroy, break, or injure any street tree or public tree. Individuals convicted of removing or destroying a tree without City approval shall be subject to paying to the City an amount sufficient to fund the planting and establishment of a tree, or trees, of similar value. The value of the removed or destroyed tree shall be calculated using the methods set forth in the edition then in effect of the "Guide for Plant Appraisal" published by the International Society of Arboriculture Council of Tree Landscape Appraisers.
- B. It shall be unlawful for any person to attach or keep attached to any street or public tree or to the guard or stake intended for the protection of such tree, any rope, wire, chain, sign, or other device, except as a support for such tree.
- C. During the construction, repair, alteration or removal of any building or structure it shall be unlawful for any owner or contractor to leave any street tree or public tree in the vicinity of such building or structure without a good and sufficient guard or protectors as shall prevent injury to such tree arising out of or by reason of such construction or removal.
- D. Excavations shall not occur within the drip line of any street tree or public tree without approval of the City, applying criteria developed by the Landscape Review Committee. Utility pole installations are exempted from these requirements. During such excavation or construction, any such person shall guard any street tree or public tree within the drip line, or as may be required by the Landscape Review Committee.
- E. All building material or other debris shall be kept outside of the drip line of any street tree or public tree. (Ord. 4654B §1, 1997).

17.58.080 Street Tree Planting—When Required. All new multi-family development, commercial or industrial development, subdivisions, partitions, or parking lots fronting on a public roadway which has a designated curb-side planting strip or planting island shall be required to plant street trees in accordance with the standards listed in Section 17.58.090. (Ord. 4654B §1, 1997).

17.58.090 Street Tree Standards.

- A. The species of the street trees to be planted shall be chosen from the approved street tree list **McMinnville Street Tree List, as approved by Resolution 2016-22,** unless approval of another species is given by the McMinnville Landscape Review Committee. **The Landscape Review Committee may periodically update the McMinnville Street Tree List as necessary to reflect current arborist practices and industry standards.**
- B. Street trees shall be a minimum of two (2) inches in caliper measured at six (6) inches above ground level. All trees shall be healthy grown nursery stock with a single straight trunk, a well developed leader with tops and roots characteristic of the species cultivar or variety. All trees must be free of insects, diseases, mechanical injury, and other objectionable features when planted.

- C. Small or narrow stature trees (under 25 feet tall and less than 16 feet wide branching) should be spaced no greater than 20 feet apart; medium sized trees (25 feet to 40 feet tall, 16 feet to 35 feet wide branching) should be spaced no greater than 30 feet apart; and large trees (over 40 feet tall and more than 35 feet wide branching) should be spaced no greater than 40 feet apart. Within residential developments, street trees should be evenly spaced, with variations to the spacing permitted as approved by the City for specific site limitations and safety purposes. Within commercial and industrial development staggered, or irregular spacing is permitted, as may be approved by the McMinnville Landscape Review Committee. When planting replacement trees within the downtown tree zone, consideration shall be given to the height of adjacent buildings.
- D. When located adjacent to a local residential street or minor collector street, street trees shall be planted within a curbside landscape strip measuring a minimum of three (3) feet in width. Street trees adjacent to major collector streets or arterial streets shall be placed a minimum of four (4) feet from the back edge of the sidewalk. In no case shall a tree be planted closer than two and one-half (2 1/2) feet from the face of a curb. **These standards may be superseded by design drawings and specifications as periodically developed and adopted by the City.**
- E. Street trees shall not be planted within ten (10) feet of fire hydrants, utility poles, sanitary sewer, storm sewer or water lines, or within twenty (20) feet of street light standards or street intersections, or within five (5) feet of a private driveway or alley. New utility poles shall not be located within five (5) feet of an existing street tree. Variations to these distances may be granted by the Public Works Director and as may be required to ensure adequate clear vision.
- F. Existing street trees shall be retained unless approved by the Planning Director for removal during site development or in conjunction with a street construction project. Sidewalks of variable width and elevation may be utilized as approved by the Planning Director to save existing street trees. Any street tree removed through demolition or construction within the street right-of-way, or as approved by the City, shall be replaced within the street right-of-way at a location approved by the city with a tree, or trees, of similar value. As an alternative the property owner may be required to pay to the City an amount sufficient to fund the planting and establishment by the city of a tree of similar value. The value of the existing street tree to be removed shall be calculated using the methods set forth in the edition then in effect of the "Guide for Plant Appraisal" published by the International Society of Arboriculture Council of Tree Landscape Appraisers. The developer or applicant shall be responsible for the cost of the planting, maintenance and establishment of the replacement tree.
- G. 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~~ **or updated design drawings and specifications as periodically developed and adopted by the City.**

- H. Street trees, as they grow, shall be pruned to provide at least eight (8) feet of clearance above sidewalks and thirteen (13) feet above local streets, fifteen (15) feet above collector streets, and eighteen (18) feet above arterial streets. This provision may be waived in the case of newly planted trees so long as they do not interfere with public travel, sight distances, or endanger public safety as determined by the City.
- I. Maintenance of street trees, other than those located in the downtown tree zone shall be the continuing obligation of the abutting property owner. The City shall undertake regular maintenance of street trees within the downtown tree zone in accordance with appropriate horticultural practices including pruning and fertilizing to properly maintain the health of such trees. (Ord. 4816 §2, 2004; Ord. 4654B §1, 1997).

#### 17.58.100 Street Tree Plans

- A. Submittal.
  - 1. Subdivisions and Partitions: Street tree planting plans shall be submitted to the Landscape Review Committee for review and approval prior to the filing of a final subdivision or partition plat.
  - 2. Commercial, Industrial, Parking Lots, and Multi-family Residential Development: Landscape plans, to include street tree planting as may be required by this ordinance, shall be submitted to the Landscape Review Committee for review and approval prior to the issuance of a building permit.
- B. Street Tree Plan Content. At a minimum, the street tree planting plan should:
  - 1. Indicate all existing trees, noting location, species, size (caliper and height) and condition;
  - 2. Indicate whether existing trees will be retained, removed or relocated;
  - 3. Indicate the measures to be taken during site development to ensure the protection of existing trees to be retained;
  - 4. Indicate the location, species, and size (caliper and height) of street trees to be planted;
  - 5. Indicate the location of proposed and existing utilities and driveways; and
  - 6. Indicate the location of rights-of-way, existing structures, driveways, and existing trees including their species, size, and condition, within twenty feet of the subject site. (Ord. 4654B §1, 1997).

#### 17.58.110 Street Tree Planting

- A. Residential subdivisions and partitions.
  - 1. Planting Schedule: Street trees required of residential subdivisions and partitions shall be installed prior to submittal of a final subdivision plat or partition plat. As an alternative the applicant may file a surety bond or other approved security to assure the planting of the required street trees, as prescribed in Section 17.53.153.
- B. Commercial, Industrial, Multi-family, Parking Lot Development.

1. Planting Schedule: Street trees required of a commercial, industrial, multi-family, or parking lot development shall be installed at the time all other required landscaping is installed. (Ord. 4654B §1, 1997).

17.58.120 Street Tree Maintenance.

**A.** 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. (Ord. 4654B §1, 1997).

**B. Street tree plans, or landscape plans including street trees, shall be maintained in perpetuity. In the event that a street tree must be replaced, the adjacent property owner or developer shall plant a replacement tree of a species from the approved street tree or landscape plan.**

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## PROPOSED AMENDMENTS TO THE MCMINNVILLE MUNICIPAL CITY CODE

New proposed language is represented by **bold underline font**, deleted language is represented by ~~strikethrough font~~.

### Chapter 2.33

#### LANDSCAPE REVIEW COMMITTEE

2.33.010 Purpose. To ensure that the appearance of the City of McMinnville is enhanced by encouraging quality landscaping which will benefit and protect the health, safety and welfare of the general public.

2.33.020 Responsibilities and Power.

- A. Plan Review Committee. All landscape plans required by Chapter 17 of this code shall be submitted to and reviewed by the Landscape Review Committee per the provisions of Chapter 17 of this code.
- B. Advisory Counsel. The Landscape Review Committee shall serve in an advisory role to the Planning Director and designees, the Planning Commission and the Common Council for comprehensive plan policies and zoning ordinance amendments relative to the committee's purpose statement.

2.33.030 Membership

- A. Number of Members. The Landscape Review Committee shall be composed of five members.
- B. Residency. Members shall reside in the McMinnville Urban Growth Boundary. A majority of members shall reside within the city limits.
- C. Representation. Individual seats are not geographically designated. Common Council members, Planning Commissioners, and Water and Light Commissioners shall not serve as Landscape Review Committee members.
- D. Appointments. The Common Council will appoint the committee members.
- E. Terms. All terms are for three years commencing with January of each year.
- F. Removal. A committee member may be removed by the Common Council for misconduct, nonperformance of duty, or three successive unexcused absences from regular meetings. The committee may, by motion, request that a member be removed by the appointing body. If the appropriate governing body finds misconduct, nonperformance of duties or three successive unexcused absences from regular meetings by the member, the member shall be removed.

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*Note: Still needs to be reviewed by legal counsel.*

- G. Ex-Officio Members. One ex-officio youth (21 years of age and under) may be appointed by the Common Council, to serve a three year term. The ex-officio youth shall not be a voting member.

#### 2.33.040 Officers

- A. Chairperson / Vice-Chairperson. At its first meeting of each year, the Landscape Review Committee shall elect from its membership a chairperson and vice-chairperson. The chairperson or vice-chairperson, acting as chairperson, shall have the right to make or correct motions and vote on all matters before the committee. A majority of the committee may replace its chairperson or vice-chairperson with another member at any time during the calendar year.
- B. Annual Report to City Council. The Chairperson of the committee shall make an annual report to the City Council outlining accomplishments for the past year and work plan for the following year or more often as the Chairperson deems appropriate, or at the request of the Council.

#### 2.33.050 Meeting/Quorum

- A. Meeting Schedule. The Committee shall meet as required to accomplish their responsibilities.
- B. Meeting Conduct. The Rules of Parliamentary Law and Practice as in Roberts Rules of Order Revised Edition shall govern each committee meeting.
- C. Open to the Public. All meetings shall be open to the public.
- D. Quorum. A majority of the members of the committee shall constitute a quorum. Quorum will be based on the number of people officially appointed to the committee at the time and should not include vacancies.

2.33.060 Expenses / Reimbursements. Committee members shall receive no compensation. Any expense incurred by a committee member that will need to be reimbursed by the City of McMinnville must be pre-authorized by the City Manager or designee.

#### 2.33.070 Special Provisions.

- A. The Landscape Review Committee shall operate within the laws and guidelines of the federal government, the state government, Yamhill County and the City of McMinnville.
- B. The Common Council may appoint an ad-hoc committee to address issues that are not under the purview of the existing committee.

2.33.080 Staff Support. Staffing shall be determined by the City Manager or City Manager designee.