



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

www.mcminnvilleoregon.gov

Landscape Review Committee
Community Development Center, 231 NE 5th Street
August 21, 2019
12:00 PM

Committee Members	Agenda Items
<p>Rob Stephenson Chair</p> <p>Sharon Gunter Vice-Chair</p> <p>Josh Kearns</p> <p>RoseMarie Caughran</p> <p>Tim McDaniel</p>	<ol style="list-style-type: none"> 1. Call to Order 2. Citizen Comments 3. Approval of Minutes <ol style="list-style-type: none"> A. May 15, 2019 (Exhibit 1) 4. Action Items <ol style="list-style-type: none"> A. L 10-19 – Landscape Plan Review (Exhibit 2) 4155 NE Three Mile Lane B. L 17-19 – Street Tree Removal (Exhibit 3) 457 SW West Hills Drive C. L 14-19 – Landscape Plan Review (Exhibit 4) 839 NE Highway 99W 5. Discussion Items <ol style="list-style-type: none"> A. Landscape Review Committee Role and Responsibilities (Exhibit 5) 6. Old/New Business 7. Committee Member Comments 8. Staff Comments 9. Adjournment

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.

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EXHIBIT 1 - MINUTES

May 15, 2019
Landscape Review Committee
Regular Meeting

12:00 pm
Community Development Center
McMinnville, Oregon

Members Present: Tim McDaniel, Rose Marie Caughran, Sharon Gunter, and Rob Stephenson

Members Absent: Josh Kearns

Staff Present: Jamie Fleckenstein - Associate Planner

Guests Present: Zach Geary and Kellie Menke – City Councilors

1. Call to Order

Chair Stephenson called the meeting to order at 12:00 p.m.

2. Citizen Comments

None

3. Approval of Minutes

A. March 20, 2019

Committee Member Gunter moved to approve the March 20, 2019 minutes. The motion was seconded by Committee Member McDaniel and passed 4-0.

4. Action/Docket Item (repeat if necessary)

A. L 45-18 – Street Tree Removal - 1964 NW Cottonwood Drive

Chair Stephenson noted that with all of the new smaller lots coming online, if the regulations for where street trees could be planted was followed, there would be no place to plant street trees. He thought it should be a future agenda item.

Associate Planner Fleckenstein reviewed the request to remove two street trees on NW Cottonwood Drive due to being in conflict with the sidewalk and water meter. The easternmost tree was planted within a few feet of the driveway and was lifting the sidewalk outside the applicant's home. The applicant had tripped and fallen over the raised sidewalk. The westernmost tree was planted within

three feet of the water meter and could impact the neighbor's water meter as well. It would be appropriate to replace the trees with one tree and plant it in the middle of where the two trees had been planted. He thought the tree could either be a Acer Truncatum or Sunset Maple. Staff recommended approval.

Committee Member McDaniel thought the sidewalk could be sanded down.

Associate Planner Fleckenstein said the applicant probably would sand down the sidewalk instead of replacing the panel. However, the roots would continue to lift the sidewalk. The trees were not located to City standard for spacing and should be removed.

Committee Member Caughran moved to approve L 45-18. The motion was seconded by Committee Member Gunter and passed 3-1 with Committee Member McDaniel opposed.

Chair Stephenson said since the motion passed, did that mean the applicant had to do it or could she back out. Associate Planner Fleckenstein said part of the condition was that it was required to remove and replace the street trees and repair the sidewalk within six months of the approval. Staff was checking to see if the work was done. If it was not done in that time frame, it was taken to code compliance.

B. L 7-19 – Landscape Plan - 170 NE 12th Street

Associate Planner Fleckenstein reviewed the landscape plan for a tenant improvement for the Oregon State Credit Union branch on NE 12th Street. There was an original landscape plan that was approved for the Wells Fargo bank that had been a previous use. The existing landscape on the site reflected that approved plan. The tenant improvement was not substantial enough to require additional landscape area, but it did trigger some updates to the trash enclosure along Baker Street. The existing landscape around the trash enclosure did not meet code for screening. The applicant would also remove and replace any dead or diseased plants with new plant material that was on the original plan. The changes to the original plan were the addition of evergreen laurel in front of the trash enclosure and removal of three Bloodgood Maple trees on the north side of the building. The tree removal was for the security and safety of the site.

The Committee did not think the trees needed to be removed, but was in favor of proper pruning.

Chair Stephenson thought the proposed plan could be improved and asked to see the original plan.

Associate Planner Fleckenstein distributed the most recent approved landscape plan for the site in 2010. He would have to search for the original plan. Part of the conditions for this plan would be to add street trees and denser Blue Fescue.

There was discussion regarding the applicant using something other than Blue Fescue.

Chair Stephenson thought they should go back to the original plan.

Chair Stephenson moved to continue L 7-19 and to retain the three Bloodgood Maple trees. The motion was seconded by Committee Member McDaniel and passed 4-0.

C. L 8-18 – Street Tree Removal - 2407 SW Howard Drive

Associate Planner Fleckenstein reviewed the request to remove a street tree on SW Howard Drive. The street tree did not meet the spacing standards from the fire hydrant, water meter, and driveway. It was causing damage to the water meter that the applicant had to repair.

There was discussion regarding a location for a replacement tree. Associate Planner Fleckenstein said there was a planter strip adjacent to the property on the opposite side of the driveway that already had a street tree and could not accommodate another. A replacement tree was not recommended.

Committee Member Gunter moved to approve L 8-18. The motion was seconded by Committee Member Caughran and passed 4-0.

D. L 9-18 – Street Tree Removal - 598 NE Jade Street

Associate Planner Fleckenstein said the applicant for this street tree removal requested postponing this agenda item in order to revise the application.

5. Discussion Items

There was discussion regarding the situations where staff could approve street tree removals instead of going to the Committee.

There was further discussion regarding removal of Birch trees in the common areas of a subdivision on Baker Creek Road. Associate Planner Fleckenstein said he had been in contact with the landscaper who was working with the Homeowners Association for a replacement tree plan, but he had not seen that plan yet.

Chair Stephenson said without someone nudging the Homeowners Association, that would not happen. Associate Planner Fleckenstein would make that nudge.

Associate Planner Fleckenstein discussed the trend for smaller lot subdivisions and the conflicts between street trees and utilities and driveways. The Planning Department had started coordination meetings with McMinnville Water and Light and this was one issue that would be addressed. The issue was the utilities were deferred for developments until later and the street trees were put in before the utilities. They would be working on a solution to the problem. There was more movement toward requiring alley loaded small lot subdivisions and placing the street trees in the front of the lots.

6. Old/New Business

Associate Planner Fleckenstein gave an update on the street tree discussion for the hardware building on 3rd and Ford. The City had met with them regarding the proposed remedy to the street tree that had been removed without approval. The City proposed the property owner replace all four of the street trees with four inch caliper replacement trees, that the owner would bear the full cost of replacing the removed and repaired sidewalks, the owner would install tree grates, and the owner would enter into a development agreement of \$46,500 with the City to install street tree pilot projects on 3rd Street. This amount was half of the assessment value of the tree that was removed. The pilot projects could help with improving the underground infrastructure to support the health of street trees or using alternative sidewalk materials.

There was discussion regarding educating the public on their responsibilities for street trees, the conditions that resulted in the permission of removing the three trees, and the proposed remedy.

Councilor Menke thought there should be a discussion regarding putting in large planting strips so there could be common root structures for street trees. Associate Planner Fleckenstein said right now street trees were limited because of the structure of the hole and what was below the sidewalk that limited where the roots could grow. He thought the pilot projects could address that with the subsurface infrastructure.

7. Committee/Commissioner Comments

Committee Member Caughran discussed the grates that were being raised by tree roots at the senior apartments. She would like to get them fixed as soon as possible. Associate Planner Fleckenstein would look into who would be responsible for the work.

Committee Member Caughran asked when the street trees downtown that had been removed for street improvement projects would be replaced. Associate Planner Fleckenstein would look into it. He agreed there needed to be better communication with all the parties involved.

8. Staff Comments

None

9. Adjournment

Chair Stephenson adjourned the meeting at 1:12 p.m.



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EXHIBIT 2 - STAFF REPORT

DATE: August 21, 2019
TO: Landscape Review Committee Members
FROM: Jamie Fleckenstein, Associate Planner
SUBJECT: Landscape Plan Review Application (L 10-19)

STRATEGIC PRIORITY & GOAL:



GROWTH & DEVELOPMENT CHARACTER

Guide growth & development strategically, responsively & responsibly to enhance our unique character.

OBJECTIVE/S: Strategically plan for short and long-term growth and development that will create enduring value for the community

Report in Brief:

An application for a landscape plan review (L 10-19) for the expansion of a recreational vehicle parking/storage lot in the Olde Stone Village mobile home park in northeast McMinnville to be reviewed by the Landscape Review Committee.

Background:

The applicant and property owner, Paul Brewer, Old Stone Village NW, LLC, submitted a landscape plan associated with a plumbing permit for the construction of a recreational vehicle storage lot at Olde Stone Village in the Three Mile Lane area of northeast McMinnville. The site address is 4155 NE Three Mile Lane, and is more specifically described as Tax Lot 200, Section 24C, T. 4. S., R. 4 W., W.M. The property is zoned R-4PD. **See Figure 1 (Vicinity Map) and Figure 2 (Zoning Map).**

The subject site is located within the Old Stone Village, a recreational vehicle park and community located at the eastern end of the Three Mile Lane corridor, north of Highway 18 and west of Loop Road. Specifically, the site is located at the end of Heather Drive. To the north and west of the subject site are manufactured home lots. East and south of the subject site are undeveloped lots in agricultural use. The eastern undeveloped lot is owned by the City of McMinnville and is part of the Airport Approach Zone and development is restricted. The southern undeveloped lot is zoned C-2 (Travel Commercial).

The southern portion of the area proposed for development is currently a paved lot used for RV storage. The northern portion of the development area is currently undeveloped, and was previously used as recreational space for the community. A chain link fence with privacy slats encloses the development site.

Attachments:

Attachment A – Decision, Conditions of Approval, and Findings of Fact of the McMinnville Landscape Review Committee for Approval of a Landscape Plan at 1445 NE Miller Street (L 11-19)

A plumbing permit has been applied for to expand a paved parking lot used as recreational vehicle storage for residents of Old Stone Village. **See Figure 3 (Site Plan).** A requirement for issuance of the plumbing permit is the review and approval of a Landscape Plan for the site. The proposed landscape plan addresses required landscaping per the McMinnville Zoning Ordinance. **See Figure 4 (Landscape Plan), Figure 5 (Landscape Plan-Enlargement), and Figure 6 (Plant List).**

Figure 1: Vicinity Map

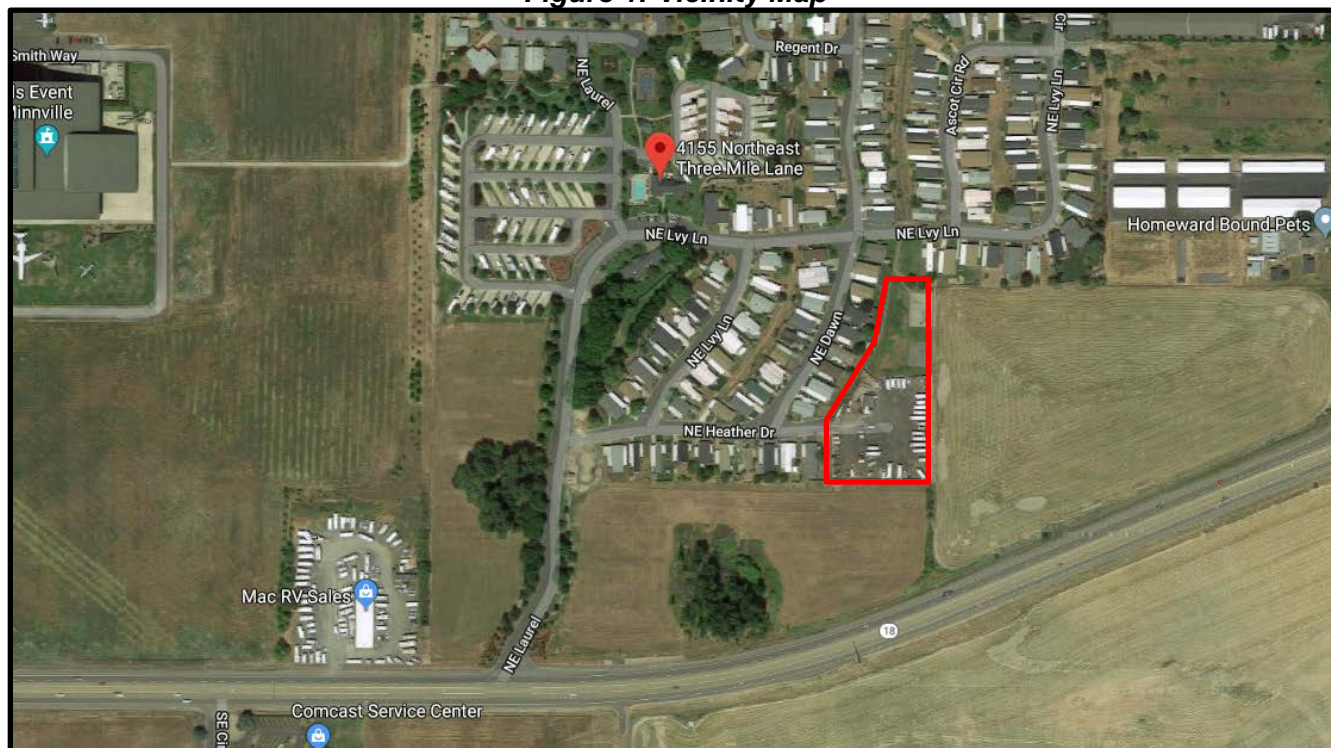
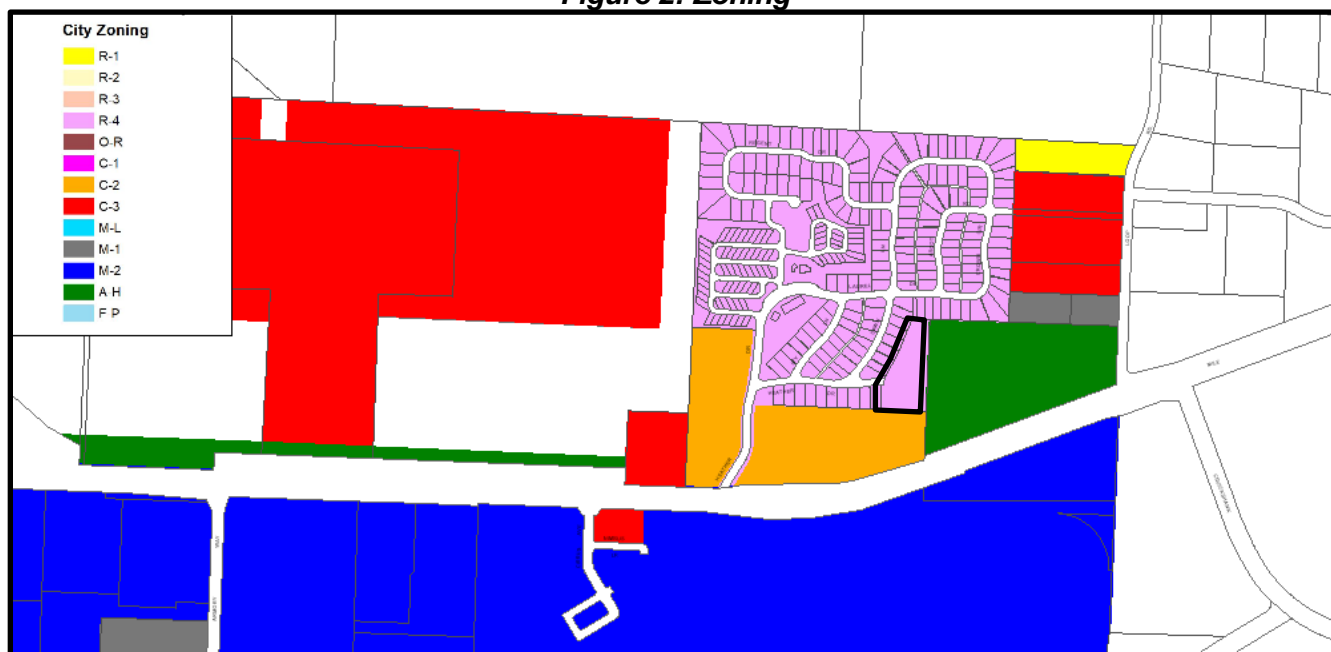


Figure 2: Zoning



Attachments:

Attachment A – Decision, Conditions of Approval, and Findings of Fact of the McMinnville Landscape Review Committee for Approval of a Landscape Plan at 4155 NE Three Mile Lane (L 10-19)

Figure 3: Proposed Site Plan

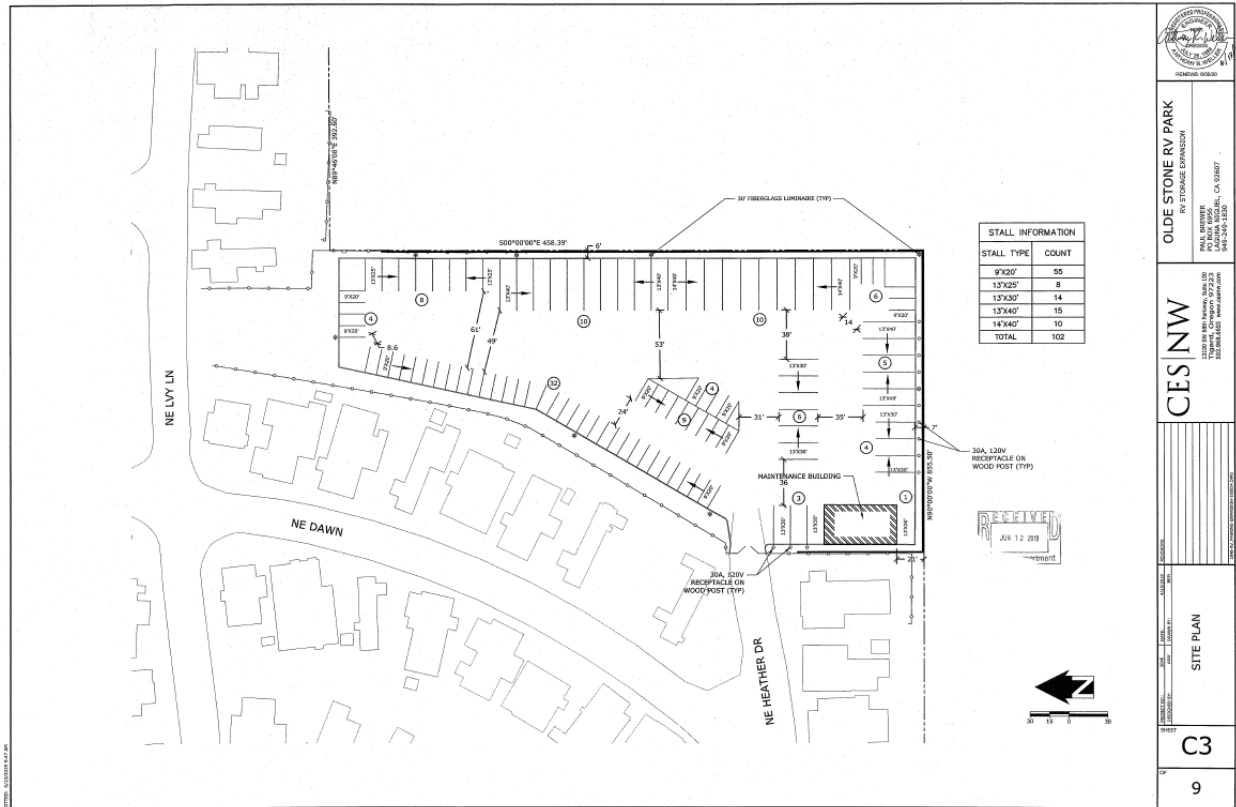
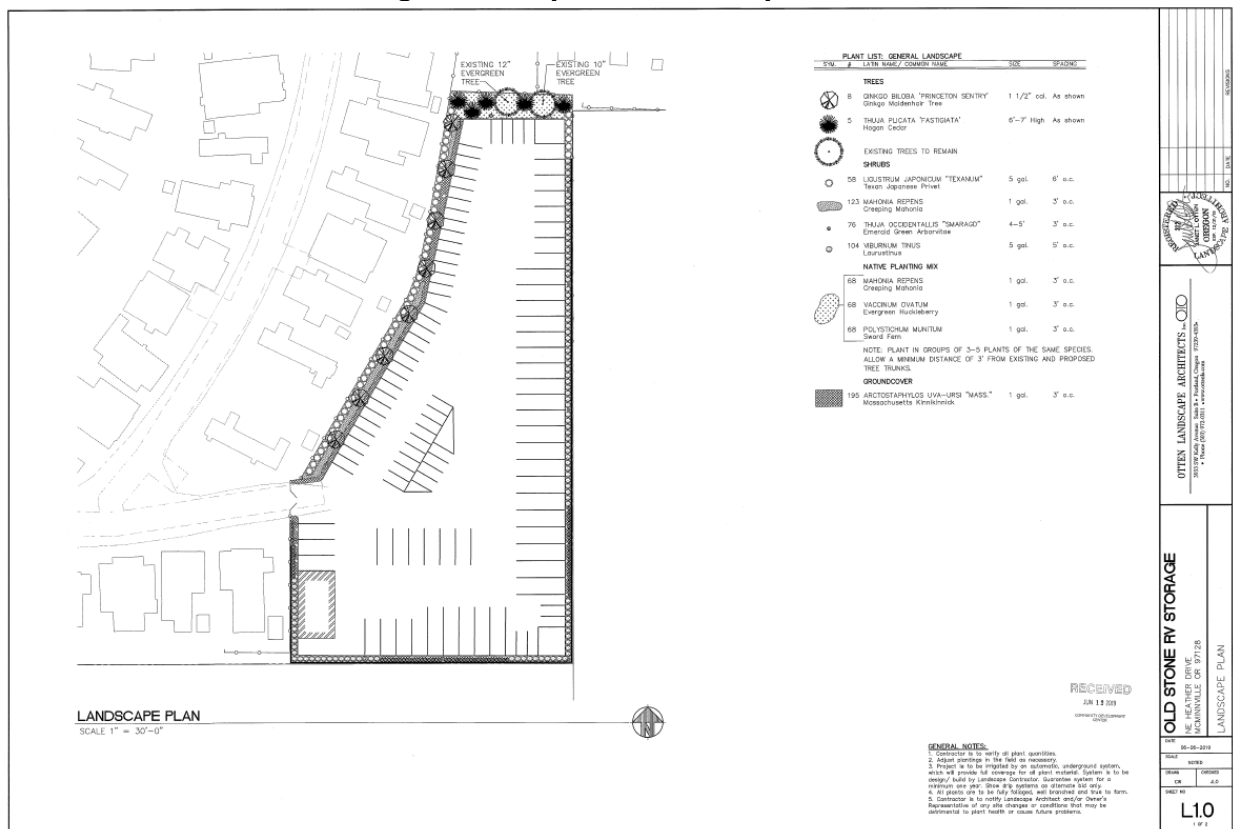


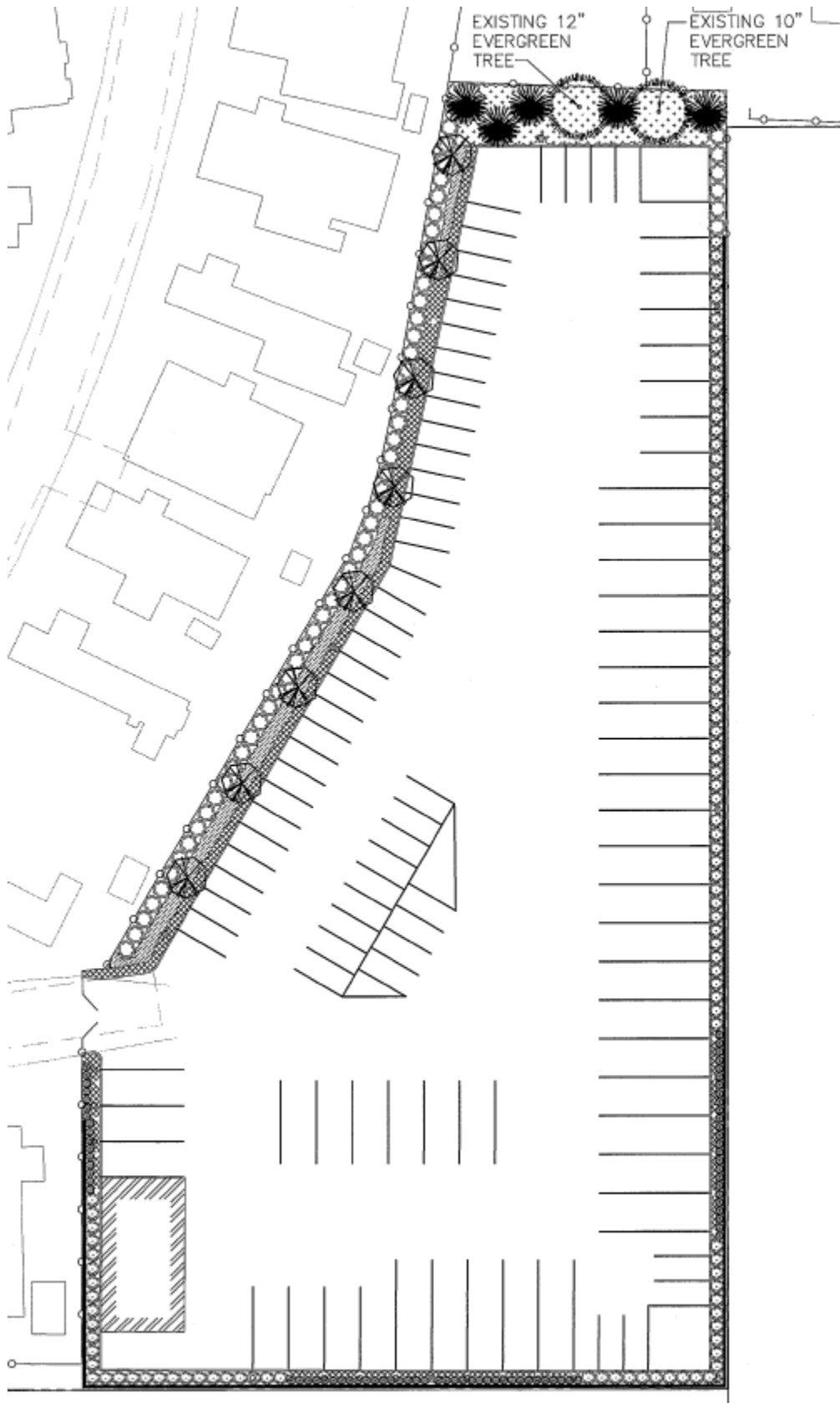
Figure 4: Proposed Landscape Plan



Attachments:

Attachment A – Decision, Conditions of Approval, and Findings of Fact of the McMinnville Landscape Review Committee for Approval of a Landscape Plan at 4155 NE Three Mile Lane (L 10-19)










Figure 5: Proposed Landscape Plan (Enlargement)



Attachments:

Attachment A – Decision, Conditions of Approval, and Findings of Fact of the McMinnville Landscape Review Committee for Approval of a Landscape Plan at 4155 NE Three Mile Lane (L 10-19)

Figure 6: Plant List

PLANT LIST: GENERAL LANDSCAPE				
SYM.	#	LATIN NAME/ COMMON NAME	SIZE	SPACING
TREES				
	8	GINKGO BILOBA 'PRINCETON SENTRY' Ginkgo Moldenhair Tree	1 1/2" cal.	As shown
	5	THUJA PLICATA 'FASTIGIATA' Hogan Cedar	6"-7' High	As shown
	EXISTING TREES TO REMAIN			
SHRUBS				
	58	LIGUSTRUM JAPONICUM "TEXANUM" Texon Japanese Privet	5 gal.	8' o.c.
	123	MAHONIA REPENS Creeping Mahonia	1 gal.	3' o.c.
	76	THUJA OCCIDENTALLIS "SMARAGD" Emerald Green Arborvitae	4-5'	3' o.c.
	104	VIBURNUM TINUS Laurustinus	5 gal.	5' o.c.
NATIVE PLANTING MIX				
	68	MAHONIA REPENS Creeping Mahonia	1 gal.	3' o.c.
	68	VACCINIUM OVATUM Evergreen Huckleberry	1 gal.	3' o.c.
	68	POLYSTICHUM MUNITUM Sword Fern	1 gal.	3' o.c.
NOTE: PLANT IN GROUPS OF 3-5 PLANTS OF THE SAME SPECIES. ALLOW A MINIMUM DISTANCE OF 3' FROM EXISTING AND PROPOSED TREE TRUNKS.				
GROUND COVER				
	195	ARCTOSTAPHYLOS UVA-URSI "MASS." Massachusetts Kinnikinnick	1 gal.	3' o.c.

Discussion:**Summary of Criteria & Issues:**

The subject site is part of a mobile home park in an R-4PD (Multi-Family Residential Planned Development) zone, and its proximity to McMinnville Municipal Airport requires compliance with regulations in the Airport Overlay Zone. The proposed use is a parking lot for Olde Stone Village residents to store recreational vehicles. Section 17.57.070(A)(5) of the McMinnville Zoning Ordinance requires calculation of the required landscaping for the expansion of a parking lot built in any zone. The application indicates that the landscaping proposed is 11,675 square feet, which exceeds the required 5,414 square feet.

A consideration of proposed development is the type of vehicle the proposed parking lot is meant to serve. Recreational Vehicles are typically larger than automobiles, requiring larger parking spaces and more room for maneuvering within a parking area. Because of this, there is a high potential for conflict with landscaping interior to the parking lot. Internal landscape islands may impede the circulation of RVs within the lot, and planting therein may be damaged by RVs, or cause damage to RVs. Therefore, landscaping for this use was proposed around the perimeter of the parking lot to allow maximum maneuverability and minimize the potential damage to private property and plants.

Attachments:

Attachment A – Decision, Conditions of Approval, and Findings of Fact of the McMinnville Landscape Review Committee for Approval of a Landscape Plan at 4155 NE Three Mile Lane (L 10-19)

With the included conditions of approval, the landscape plan meets the applicable review criteria and factors set forth in the Landscaping chapter of the McMinnville Zoning Ordinance. The landscaping is compatible with the proposed use and with surrounding properties and uses. The perimeter planting provides screening of the use from adjacent properties, mitigating the impact on adjacent uses. Existing trees on site are retained and incorporated into the landscaping. An automatic irrigation system is proposed for all planting areas.

The one area where the proposed landscaping did not meet the purpose and intent of the landscaping chapter was the absence of planting interior to the parking lot to break up the paved areas. As previously discussed, the apparent conflict between the use and plantings in the interior of the parking area led to all landscaping being proposed around the perimeter. A condition of approval has been included to provide additional shade trees around the perimeter of the lot, helping the landscape achieve a stated intent of the code – to provide parking lot landscaping that reduces the harmful effect of heat, noise, and glare associated with motor vehicle use.

In reviewing a landscape plan, MMC Section 17.57.050(B) (Area Determination – Planning Factors) 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 proposed project is the expansion and improvement of an existing Recreation Vehicle storage lot for the residents of Olde Stone Village. The existing RV storage lot is located on the southern portion of the site. The northern portion of the site is a park space that includes a basketball court and a grass field. Two mature shore pines are located on the northern property line. East and south of the subject site are undeveloped vacant lots. North and west of the subject site are the residential mobile home lots. A chain link fence and gate encircles the site of the proposed RV storage lot. The subject site is also visible from Highway 18 due to the undeveloped lots to the east and south of the subject site.

The proposed project consists of a paved parking lot with 102 spaces, ranging in size from nine (9) feet by 20 feet, to 14 feet by 40 feet. A maintenance building is proposed for the southwest corner of the site.

The proposed landscape plan features planting areas around the perimeter of the parking lot. North of Heather Drive along the western edge of the site, a 15 foot wide planting area provides space for a hedge of *Ligustrum japonicum* 'Texanum' (Texan Japanese Privet), an evergreen shrub growing up to 10 feet tall and six (6) feet wide, behind swaths of groundcovers with evenly spaced trees. The groundcovers are *Mahonia repens* (Creeping Mahonia), a native evergreen spreading shrub that grows to one (1) foot in height, and *Arctostaphylos uva-ursi* 'Massachusetts' (Massachusetts Kinnickinick), a low growing native evergreen spreading groundcover. Spaced at 40 feet on center within the groundcover plantings are *Ginkgo biloba* 'Princeton Sentry' (Princeton Sentry Ginkgo). The Princeton Sentry Ginkgo is a deciduous tree that reaches up to 60 feet in height and 25 feet in width in maturity. The planting area along the northern property line expands to 20 feet in width. There, a native evergreen shrub planting mix including Creeping Mahonia, *Polystichum munitum* (Western Sword Fern), and *Vaccinium ovatum* (Evergreen Huckleberry) is proposed for the ground plane below the two (2) existing shore pine trees. Additionally, five (5) *Thuja plicata* 'Fastigiata' (Hogan Western Red Cedar) are proposed along the north property line. Fastigiata Red Cedars are native evergreen trees that grow to 60 feet in height and 15 feet in width. The perimeter planting beds along the east, south, and west property line (south of Heather Drive) are six (6) to seven (7) feet in width. Along these property lines are alternating evergreen hedges of *Viburnum tinus* (Laurustinus) and *Thuja occidentalis* 'Smaragd' (Smaragd Arborvitae). Laurustinus grows to 12 feet

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Attachment A – Decision, Conditions of Approval, and Findings of Fact of the McMinnville Landscape Review Committee for Approval of a Landscape Plan at 4155 NE Three Mile Lane (L 10-19)

in height and 6 feet in width, and Smaragd Arborvitae grows to approximately 15 feet in height and four (4) feet in width.

Light standards are spaced intermittently around the perimeter of the parking lot, and within the landscape areas along the west property line south of Heather Drive and the south property line, a series of electrical receptacles are proposed.

The proposed use of the subject site is the parking and storage of recreational vehicles. The size and maneuvering requirements of recreational vehicles limits the practicality of landscaping within the interior of the parking lot, therefore landscaping was provided exclusively around the exterior of the lot. The perimeter landscaping appears compatible with the proposed use of the site, as do the plants that were selected.

To the north and west of the subject site are manufactured home lots. The landscape areas adjacent to the manufactured home lots are the widest proposed, allowing for the most quantity and variety of planting to screen and buffer the parking lot from the residences. A solid evergreen hedge and row of deciduous trees along the west property line achieves this function, as does the cluster of existing and proposed evergreen trees on the north property line. The trees, particularly along the west property line, will provide shade to the parking lot.

East and south of the subject site are undeveloped lots that are in agricultural use. Because these adjacent lots are undeveloped, the subject site is visible from Highway 18 at its westbound entrance into McMinnville. No trees are proposed along the south and west edges that would provide shade to the parking lot, but tall evergreen hedges along the east and south property lines would provide visual screening and buffering of the RV storage.

Overall, staff finds the proposed landscaping is compatible with the proposed development and that the subject site will be compatible with surrounding and abutting properties.

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

Landscaping proposed around the perimeter of the parking lot is of a type and nature that would provide visual screening and of the use from adjacent uses, and help mitigate the impact of the parking lot on adjacent neighborhoods and from nearby Highway 18. Evergreen hedges that surround the site would reach 10 to 15 feet in height based on the plant material proposed to provide year-round screening of the site. Trees on the north and west edges would provide further screening and buffering of the adjacent residential neighborhood. The existing chain-link fence with privacy slats provides an additional layer of screening beyond the proposed plant material.

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.

Two (2) existing *Pinus contorta* var. *contorta* (Shore Pine) are located along the northern property line. They are retained in the proposed landscape plan and incorporated into the landscape design. The large landscape area the trees are within provides a watering area almost equal to the entire crown area of the trees. The site is essentially flat in the area of the existing trees, and the existing grade will be generally maintained, meaning the impact of the development on the root zone of the existing trees is going to be minimal.

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

As described in the Purpose and Intent of the Landscaping Chapter of the McMinnville Zoning Ordinance, the goals of required landscaping are to “Provide parking lot landscaping to reduce the harmful effects of heat, noise and glare associated with motor vehicle use.” Planting islands are not proposed within the parking lot due to the maneuvering requirements of recreational vehicles, and the risk of damage to the landscaping or to personal property from maneuvering large RVs around the parking lot. Therefore the mitigation of the impact of the parking areas must come from the perimeter landscaping. The tall Ginkgo trees along the west property line (north of Heather Drive) would provide shade to the parking, helping to mitigate heat noise and glare. However, no shade trees are proposed along the south and east property lines that would also provide mitigation of the impacts of the parking lot. A condition has been suggested requiring the provision of trees along the south and east property lines to provide mitigation of the heat, noise, and glare, meeting the intent of the Landscaping Chapter of the McMinnville Zoning Ordinance.

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.

The subject site is not adjacent to a public right-of-way, therefore street trees are not required. No prohibited tree is proposed within the parking area.

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

The proposed landscape plan indicates that the project is to be watered by an automatic, underground irrigation system that will provide full coverage for all plant material. Therefore, this criterion is satisfied.

Fiscal Impact:

None.

Landscape Review Committee Options:

- 1) **APPROVE** the application, per the decision document provided which includes the findings of fact and conditions of approval.
- 2) **APPROVE** the application with additional conditions of approval, providing findings of fact for the inclusion of additional conditions.
- 3) **CONTINUE** the application, requesting the applicant to submit more information or details for review.
- 4) **DENY** the application, providing findings of fact for the denial in the motion to deny.

Staff Recommendation:

Staff has reviewed the application for consistency with the applicable criteria. Staff finds that, subject to the recommended conditions specified in the attached Decision Document, the application submitted by the applicant contains sufficient evidence to find the applicable criteria are satisfied.

Attachments:

Attachment A – Decision, Conditions of Approval, and Findings of Fact of the McMinnville Landscape Review Committee for Approval of a Landscape Plan at 4155 NE Three Mile Lane (L 10-19)

Staff **RECOMMENDS APPROVAL** of the application, subject to the conditions specified in the attached Decision Document.

Suggested Motion:

THAT BASED ON THE FINDINGS OF FACT, THE CONCLUSIONARY FINDINGS FOR APPROVAL, AND THE MATERIALS SUBMITTED BY THE APPLICANT, I MOVE THAT THE LANDSCAPE REVIEW COMMITTEE APPROVE THE DECISION DOCUMENT AND APPROVE THE LANDSCAPE PLAN REVIEW APPLICATION L 10-19 SUBJECT TO THE CONDITIONS SPECIFIED IN THE DECISION DOCUMENT.

JF

Attachments:

Attachment A – Decision, Conditions of Approval, and Findings of Fact of the McMinnville Landscape Review Committee for Approval of a Landscape Plan at 4155 NE Three Mile Lane (L 10-19)



CITY OF MCMINNVILLE
PLANNING DEPARTMENT
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DECISION, CONDITIONS, FINDINGS OF FACT AND CONCLUSIONARY FINDINGS FOR THE APPROVAL OF A LANDSCAPE PLAN AT 4155 NE THREE MILE LANE

DOCKET: L 10-19 (Landscape Plan)

REQUEST: Approval of a Landscape Plan for an RV Storage Lot

LOCATION: 4155 NE Three Mile Lane (Tax Lot 200, Section 24C, T. 4. S., R. 4 W., W.M.)

ZONING: R-4PD (Multi-Family Residential Planned Development)

APPLICANT: Paul Brewer, Old Stone Village NW, LLC, property owner

STAFF: Jamie Fleckenstein, PLA, Associate Planner

DATE DEEMED COMPLETE: July 12, 2019

HEARINGS BODY & ACTION: McMinnville Landscape Review Committee makes a recommendation of approval or denial to the Planning Director.

HEARING DATE & LOCATION: August 21, 2019, Community Development Center, 231 NE 5th Street, McMinnville, Oregon

PROCEDURE: Landscape plans are required to be reviewed and approved by the Landscape Review Committee as described in Section 17.57.050 (Plans-Submittal and review-Approval-Time limit for completion) of the McMinnville Zoning Ordinance.

CRITERIA: The applicable criteria are specified in Section 17.57.070 (Area Determination – Planning factors) of the McMinnville Zoning Ordinance, McMinnville City Code.

APPEAL: The decision may be appealed within 15 days of the date the decision is mailed as specified in Section 17.57.170 of the McMinnville Zoning Ordinance.

COMMENTS: This matter was referred to the following public agencies for comment: McMinnville Public Works Department and McMinnville Water and Light. Their comments are provided in this document. No public notice of the application was required by the McMinnville Zoning Ordinance. No additional comments were received by the Planning Department.

I. APPLICATION SUMMARY:

Subject Property & Request

The application requests approval of a landscape plan (L 10-19) for a proposed recreational vehicle storage lot at Olde Stone Village in the Three Mile Lane area of northeast McMinnville.

The applicant and property owner, Paul Brewer, Old Stone Village NW, LLC, submitted a landscape plan associated with a plumbing permit for the construction of a recreational vehicle storage lot at Olde Stone Village in the Three Mile Lane area of northeast McMinnville. The site address is 4155 NE Three Mile Lane, and is more specifically described as Tax Lot 200, Section 24C, T. 4. S., R. 4 W., W.M. The property is zoned R-4PD. **See Figure 1 (Vicinity Map) and Figure 2 (Zoning Map).**

The subject site is located within the Old Stone Village, a recreational vehicle park and community located at the eastern end of the Three Mile Lane corridor, north of Highway 18 and west of Loop Road. Specifically, the site is located at the end of Heather Drive. To the north and west of the subject site are manufactured home lots. East and south of the subject site are undeveloped lots in agricultural use. The eastern undeveloped lot is owned by the City of McMinnville and is part of the Airport Approach Zone and development is restricted. The southern undeveloped lot is zoned C-2 (Travel Commercial).

The southern portion of the area proposed for development is currently a paved lot used for RV storage. The northern portion of the development area is currently undeveloped, and was previously used as recreational space for the community. A chain link fence with privacy slats encloses the development site.

A plumbing permit has been applied for to expand a paved parking lot used as recreational vehicle storage for residents of Old Stone Village. **See Figure 3 (Site Plan).** A requirement for issuance of the plumbing permit is the review and approval of a Landscape Plan for the site. The proposed landscape plan addresses required landscaping per the McMinnville Zoning Ordinance. **See Figure 4 (Landscape Plan), Figure 5 (Landscape Plan-Enlargement), and Figure 6 (Plant List).**

Attachments:

Attachment 1 – Application for Landscape Plan Review (L 10-19)

Figure 1: Vicinity Map



Figure 2: Zoning

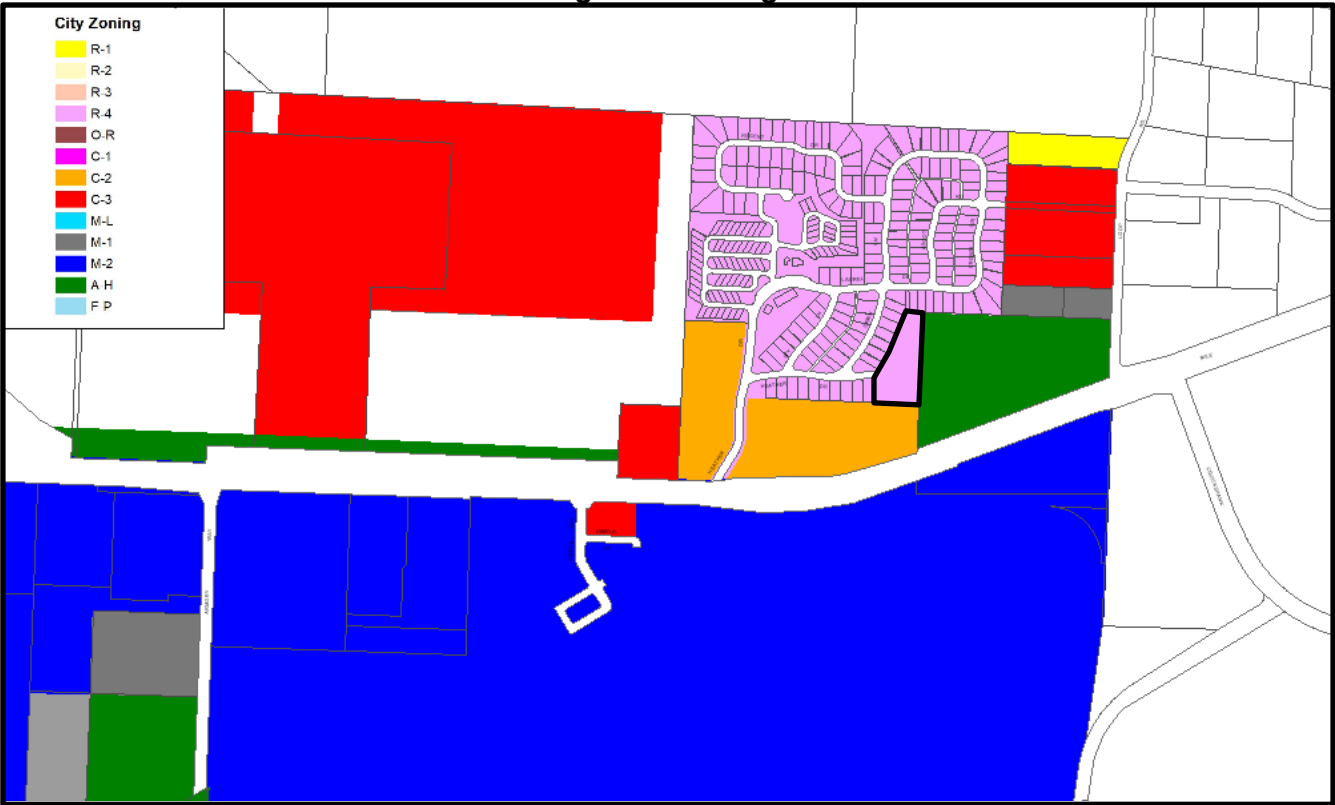


Figure 3: Proposed Site Plan

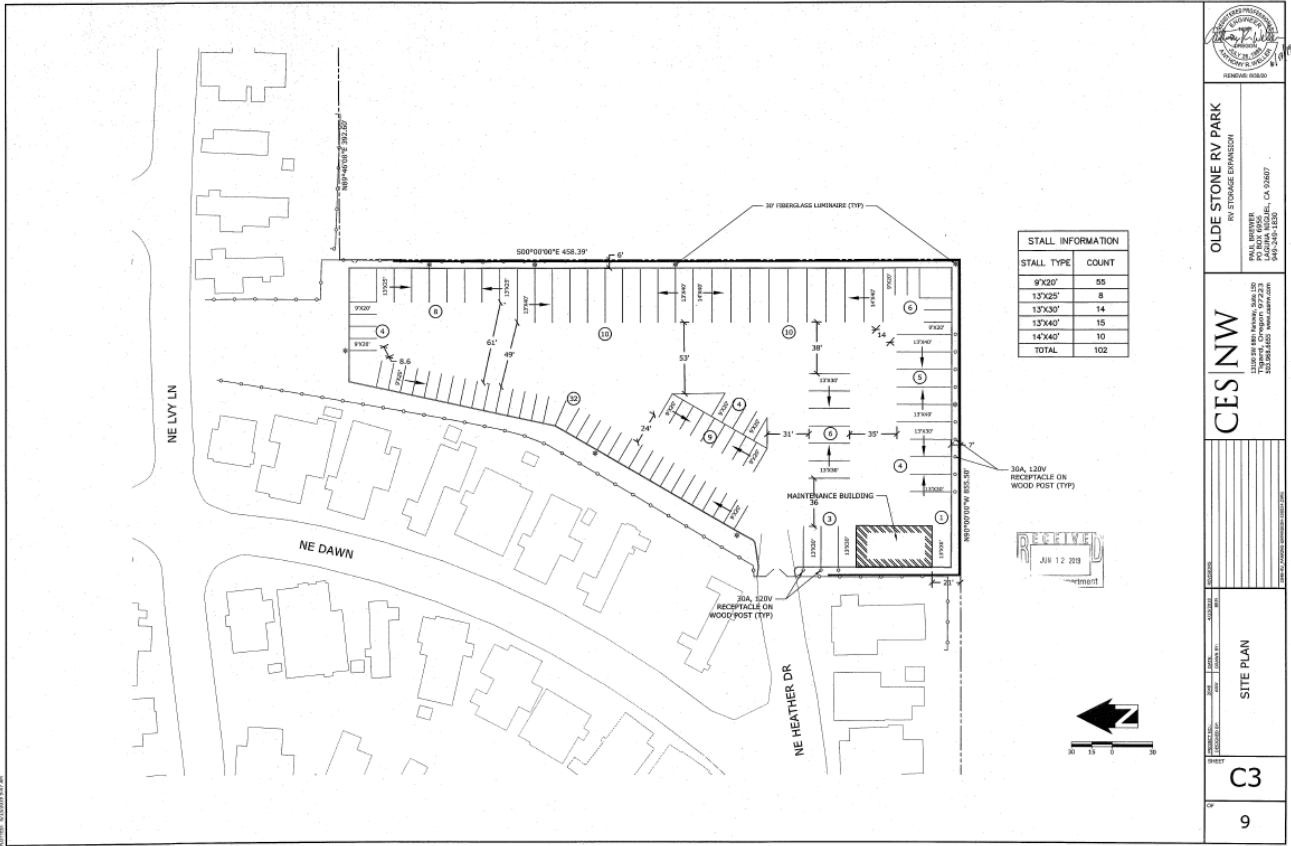


Figure 4: Proposed Landscape Plan

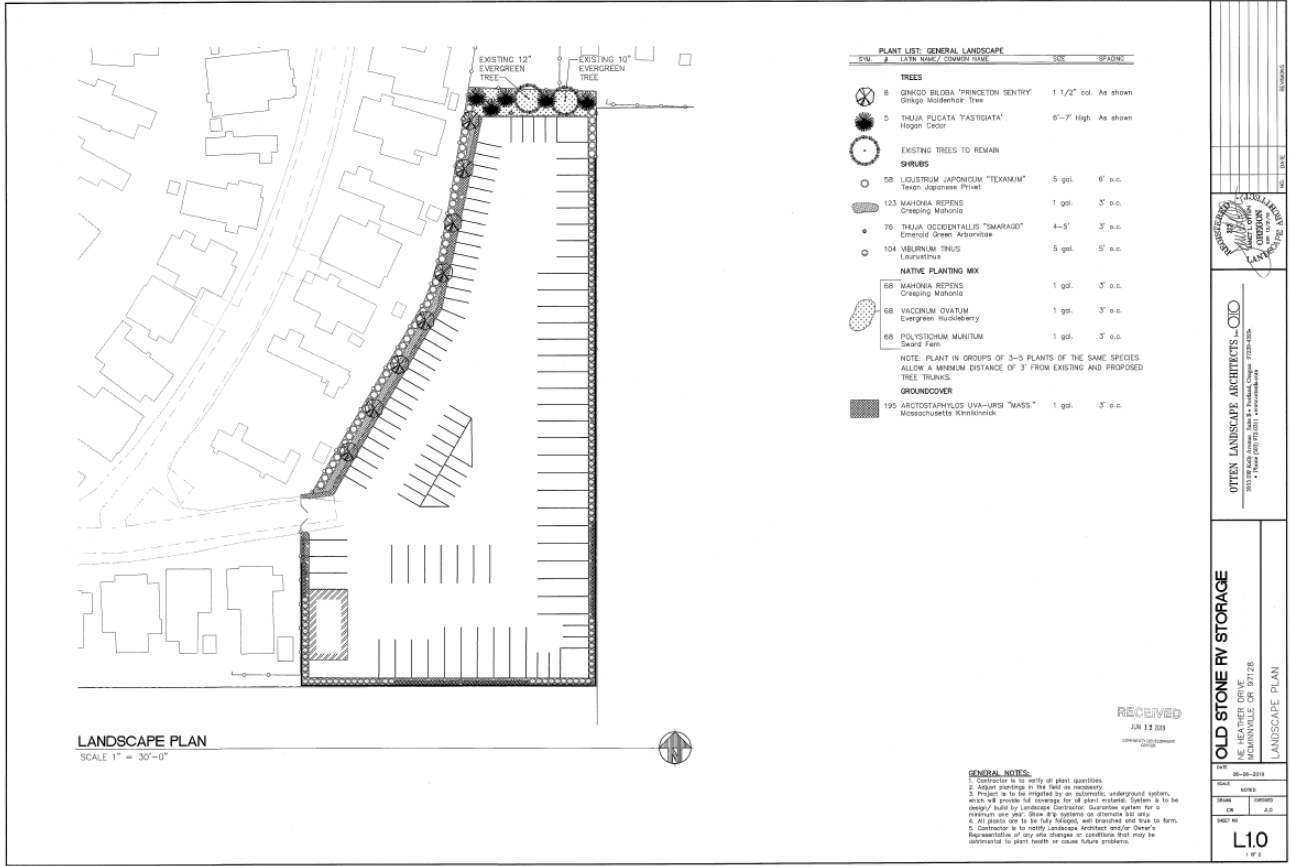
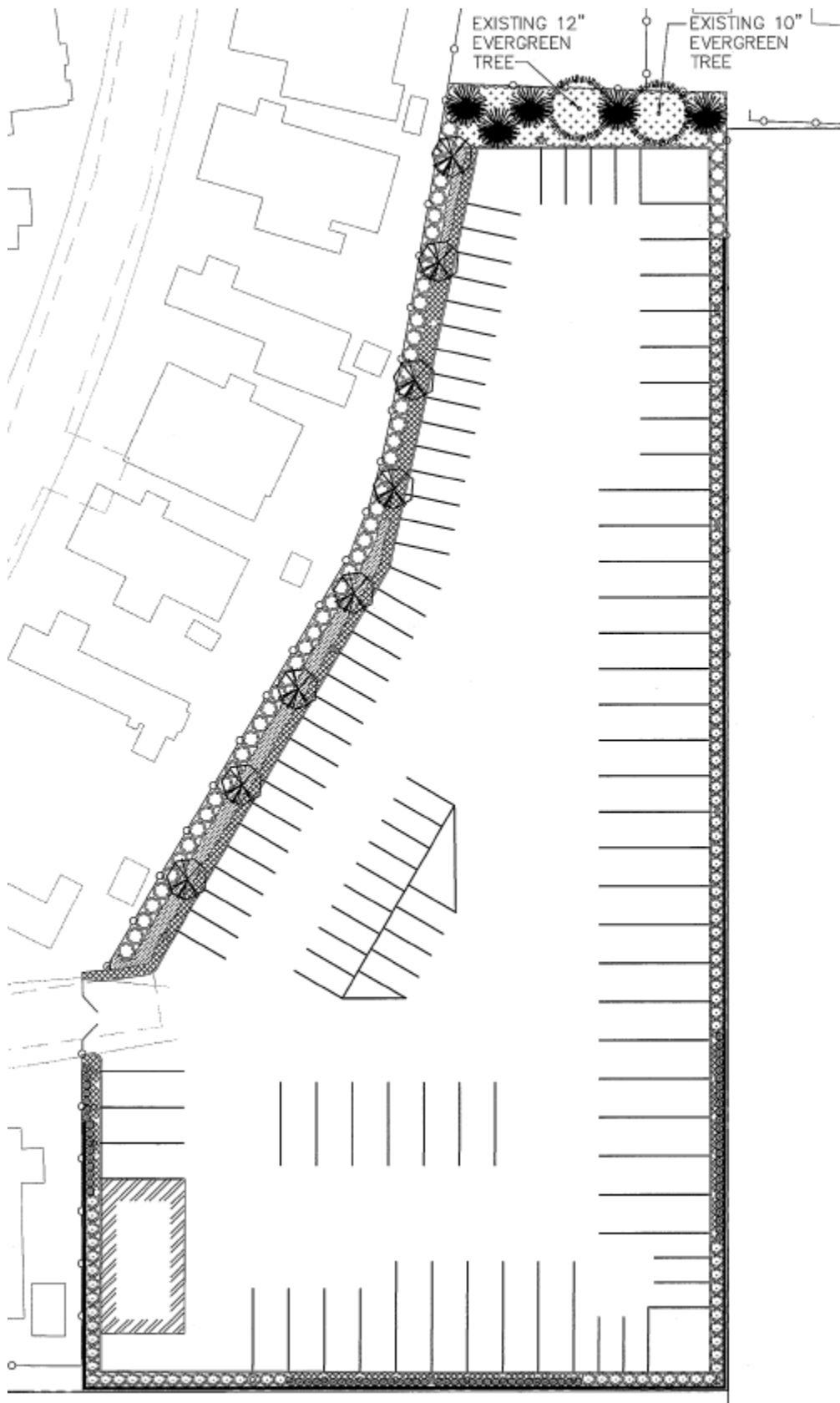













Figure 5: Proposed Landscape Plan (Enlargement)

Attachments:

Attachment 1 – Application for Landscape Plan Review (L 10-19)

Figure 6: Plant List

PLANT LIST: GENERAL LANDSCAPE				
SYM.	#	LATIN NAME/ COMMON NAME	SIZE	SPACING
TREES				
	8	GINKGO BILOBA 'PRINCETON SENTRY' Ginkgo Moldenhair Tree	1 1/2" col.	As shown
	5	THUJA PLICATA 'FASTIGIATA' Hogan Cedar	6"-7" High	As shown
	EXISTING TREES TO REMAIN			
SHRUBS				
	58	LIGUSTRUM JAPONICUM "TEXANUM" Texan Japanese Privet	5 gal.	8' o.c.
	123	MAHONIA REPENS Creeping Mahonia	1 gal.	3' o.c.
	76	THUJA OCCIDENTALLIS "SMARAGO" Emerald Green Arborvitae	4-5'	3' o.c.
	104	VIBURNUM TINUS Laurustinus	5 gal.	5' o.c.
NATIVE PLANTING MIX				
	68	MAHONIA REPENS Creeping Mahonia	1 gal.	3' o.c.
	68	VACCINIUM OVATUM Evergreen Huckleberry	1 gal.	3' o.c.
	68	POLYSTICHUM MUNITUM Sword Fern	1 gal.	3' o.c.
NOTE: PLANT IN GROUPS OF 3-5 PLANTS OF THE SAME SPECIES. ALLOW A MINIMUM DISTANCE OF 3' FROM EXISTING AND PROPOSED TREE TRUNKS.				
GROUND COVER				
	195	ARCTOSTAPHYLOS UVA-URSI "MASS." Massachusetts Kinnikinnick	1 gal.	3' o.c.

Summary of Criteria & Issues

The subject site is part of a mobile home park in an R-4PD (Multi-Family Residential Planned Development) zone, and its proximity to McMinnville Municipal Airport requires compliance with regulations in the Airport Overlay Zone. The proposed use is a parking lot for Olde Stone Village residents to store recreational vehicles. Section 17.57.070(A)(5) of the McMinnville Zoning Ordinance requires calculation of the required landscaping for the expansion of a parking lot built in any zone. The application indicates that the landscaping proposed is 11,675 square feet, which exceeds the required 5,414 square feet.

A consideration of proposed development is the type of vehicle the proposed parking lot is meant to serve. Recreational Vehicles are typically larger than automobiles, requiring larger parking spaces and more room for maneuvering within a parking area. Because of this, there is a high potential for conflict with landscaping interior to the parking lot. Internal landscape islands may impede the circulation of RVs within the lot, and planting therein may be damaged by RVs, or cause damage to RVs. Therefore, landscaping for this use was proposed around the perimeter of the parking lot to allow maximum maneuverability and minimize the potential damage to private property and plants.

With the included conditions of approval, the landscape plan meets the applicable review criteria and factors set forth in the Landscaping chapter of the McMinnville Zoning Ordinance. The landscaping is compatible with the proposed use and with surrounding properties and uses. The perimeter planting provides screening of the use from adjacent properties, mitigating the impact on adjacent uses. Existing

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trees on site are retained and incorporated into the landscaping. An automatic irrigation system is proposed for all planting areas.

The one area where the proposed landscaping did not meet the purpose and intent of the landscaping chapter was the absence of planting interior to the parking lot to break up the paved areas. As previously discussed, the apparent conflict between the use and plantings in the interior of the parking area led to all landscaping being proposed around the perimeter. A condition of approval has been included to provide additional shade trees around the perimeter of the lot, helping the landscape achieve a stated intent of the code – to provide parking lot landscaping that reduces the harmful effect of heat, noise, and glare associated with motor vehicle use.

II. CONDITIONS:

1. That shade trees be provided in the planting areas along the east and south property lines at a regular spacing appropriate for the tree species selection and that accommodates the utility and light standard locations.
2. That the applicant shall submit a revised landscape plan to the McMinnville Planning Department for review and approval that reflects conditions of approval.
3. That the applicant shall maintain proper clearances around the existing and future water and electrical services that will be located on the site. Landscaping shall not be placed within four (4) feet of fire hydrants, within four (4) feet of water valves, within four (4) feet of vaults, within three (3) feet of the back or side of a transformer, or within one (1) foot of water meters. Minor adjustments in plant placement from the locations shown on the approved landscape plan are allowed if relocation is necessary to meet minimum clearances.
4. 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.

III. ATTACHMENTS:

1. L 10-19 Application and Attachments (on file with the Planning Department)

IV. COMMENTS:

Agency Comments

This matter was referred to the following public agencies for comment: McMinnville Public Works Department and McMinnville Water and Light. The following comments regarding the proposed landscaping have been received.

- McMinnville Water & Light

Buried power along the north and west edges of the property. Call for locates and contact MW&L if contact is made with any direct buried power cable or conduit.

Public Comments

No public notice of the application was provided by the City of McMinnville, as Landscape Plan Review applications are reviewed by the process described in Section 17.57.050 of the McMinnville Zoning

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Ordinance, which does not require public notification. No public comments were received prior to the Planning Director's decision.

V. FINDINGS OF FACT - PROCEDURAL FINDINGS

1. Paul Brewer of Olde Stone Village NW, LLC, property owner, submitted a landscape plan review application on April 16, 2019.
2. The application was deemed incomplete on May 16, 2019. A revised landscape plan was submitted on June 13, 2019.
3. The application was deemed complete on July 12, 2019.
4. Notice of the application was referred to the following public agencies for comment: McMinnville Public Works Department and McMinnville Water and Light. Comments received from public agencies are addressed in the Decision Document.
5. No public notice of the application was provided by the City of McMinnville, as Landscape Plan Review applications are reviewed by the process described in Section 17.57.050 of the McMinnville Zoning Ordinance, which does not require public notification. No public comments were received prior to the public meeting.
6. A public meeting was held by the Landscape Review Committee on August 21, 2019 to review the application and proposed landscape plan.

VI. FINDINGS OF FACT - GENERAL FINDINGS

1. **Location:** 4155 NE Three Mile Lane (Tax Lot 200, Section 24C, T. 4. S., R. 4 W., W.M.)
2. **Size:** 83,320 square feet (approximately 1.92 acres)
3. **Comprehensive Plan Map Designation:** Residential
4. **Zoning:** R-4PD (Multi-Family Residential)
5. **Overlay Zones/Special Districts:** Airport Overlay Zone, Planned Development Overlay adopted by Ord. 4603
6. **Current Use:** Undeveloped
7. **Inventoried Significant Resources:**
 - a. **Historic Resources:** None
 - b. **Other:** None identified
8. **Other Features:** The site is generally flat, with two (2) existing evergreen trees at the northern end of the site.
9. **Utilities:**
 - a. **Water:** Water is available to the site via service in Heather Drive. The treatment plant has sufficient treatment capacity.
 - b. **Sewer:** Sewer is available to the site via a private sewer system in the mobile home park. The private system connects to the municipal system near the intersection of Heather Drive

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and Highway 18. The municipal water reclamation facility has sufficient capacity to accommodate expected waste flows resulting from the use.

- c. **Stormwater:** A commercial plumbing permit (569-18B0457) has been issued to connect the storm drainage from site to the storm sewer system.
- d. **Other Services:** Overhead utilities are not present.

- 10. **Transportation:** The site is accessed by Heather Drive, which is a private street and classified as a local residential street in McMinnville's 2010 Transportation System Plan.

VII. CONCLUSIONARY FINDINGS:

The Conclusionary Findings are the findings regarding consistency with the applicable criteria for the application. The applicable criteria for a Landscape Plan Review are specified in Section 17.57.070 of the Zoning Ordinance.

In addition, the goals, policies, and proposals in Volume II of the Comprehensive Plan are to be applied to all land use decisions as criteria for approval, denial, or modification of the proposed request. Goals and policies are mandated; all land use decisions must conform to the applicable goals and policies of Volume II. "Proposals" specified in Volume II are not mandated, but are to be undertaken in relation to all applicable land use requests.

Comprehensive Plan Volume II:

The following Goals, Policies, and Proposals from Volume II of the Comprehensive Plan provide criteria applicable to this request:

The implementation of most goals, policies, and proposals as they apply to this application are accomplished through the provisions, procedures, and standards in the city codes and master plans, which are sufficient to adequately address applicable goals, policies, and proposals as they apply to this application.

The following additional findings are made relating to specific Goals and Policies:

GOAL X 1: TO PROVIDE OPPORTUNITIES FOR CITIZEN INVOLVEMENT IN THE LAND USE DECISION MAKING PROCESS ESTABLISHED BY THE CITY OF McMINNIVILLE.

Policy 188.00: The City of McMinnville shall continue to provide opportunities for citizen involvement in all phases of the planning process. The opportunities will allow for review and comment by community residents and will be supplemented by the availability of information on planning requests and the provision of feedback mechanisms to evaluate decisions and keep citizens informed.

APPLICANT'S RESPONSE: The applicant did not provide a written response specific to this Goal and Policy in the application.

FINDING: SATISFIED. McMinnville continues to provide opportunities for the public to review and obtain copies of the application materials and completed staff report prior to the McMinnville Landscape Review Committee review of the request and recommendation at an advertised public meeting. All members of the public have access to provide testimony and ask questions during the public review and hearing process.

McMinnville Zoning Ordinance

The following Sections of the McMinnville Zoning Ordinance (Ord. No. 3380) provide criteria applicable to the request:

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Attachment 1 – Application for Landscape Plan Review (L 10-19)

CHAPTER 17.52 - AIRPORT OVERLAY ZONE

17.52.050 Approach Zone Restrictions.

The following uses are prohibited in the Approach Zone:

- E. The planting of any tree which reaches a mature height of 75 feet or more within 3,750 feet of the Primary Surface;

APPLICANT'S RESPONSE: The applicant did not provide a written response in the application.

FINDING: SATISFIED. The subject site is within 3,750 feet of the Primary Surface of the McMinnville Municipal Airport. No tree proposed reaches a mature height of 75 feet or more. *Ginkgo biloba* 'Princeton Sentry' (Princeton Sentry Ginkgo) is a deciduous tree that reaches up to 60 feet in height, and *Thuja plicata* 'Fastigiata' (Hogan Western Red Cedar) is a native evergreen tree that grows up to 60 feet in height.

CHAPTER 17.57 - LANDSCAPING

17.57.010 Purpose and intent. 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. Provide guidelines and standards that will:
 - 1. Reduce soil erosion and the volume and rate of discharge of storm water runoff.
 - 2. Aid in energy conservation by shading structures from energy losses caused by weather and wind.
 - 3. Mitigate the loss of natural resources.
 - 4. Provide parking lot landscaping to reduce the harmful effects of heat, noise and glare associated with motor vehicle use.
 - 5. Create safe, attractively landscaped areas adjacent to public streets.
 - 6. Require the planting of street trees along the City's rights-of-way.
 - 7. Provide visual screens and buffers that mitigate the impact of conflicting land uses to preserve the appearance, character and value of existing neighborhoods.
 - 8. Provide shade, and seasonal color.
 - 9. Reduce glare, noise and heat.
- B. Promote compatibility between land uses by reducing the visual noise and lighting impacts of specific developments on users of the site and abutting properties.
- C. Unify development and enhance and define public and private places.
- D. Preserve existing mature trees.
- E. Enhance the urban forest and tree canopy.
- F. Encourage the use of plants native to the Willamette Valley to the maximum extent feasible, in order to reduce watering requirements and agricultural chemical applications, and to provide a sense of regional identity with plant communities unique to the area.
- G. Establish and enhance a pleasant visual character and structure to the built environment that is sensitive to safety and aesthetic issues.
- H. Support McMinnville as a community that cares about its appearance.

APPLICANT'S RESPONSE: The applicant did not provide a written response in the application.

FINDING: SATISFIED WITH CONDITION. The landscape plan as proposed would enhance the appearance of the city and will benefit the economic, ecological, and aesthetic environment of the city. The landscape plan, with the included condition of approval to ensure the provision of

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parking lot landscaping that reduces the harmful effects of heat, noise, and glare associated with motor vehicle use, meets the intent and purpose of the Landscaping chapter, as described in the findings for the specific landscape plan review criteria below.

PROPOSED CONDITION FOR FINDING: That shade trees be provided in the planting areas along the east and south property lines at a regular spacing appropriate for the tree species selection and that accommodates the utility and light standard locations.

17.57.030 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);*

APPLICANT'S RESPONSE: The applicant did not provide a written response in the application.

FINDING: SATISFIED. The subject site is zoned R-4PD (Multiple-Family Residential Planned Development), and landscaping is being proposed, as required.

17.57.040 Specific uses requiring landscaping.

C. *Mobile home park, subject to the requirements of a multiple-family development;*

APPLICANT'S RESPONSE: The applicant did not provide a written response in the application.

FINDING: SATISFIED. The subject site is located within the Olde Stone Village mobile home park, and landscaping is being proposed, as required.

17.57.070 Area Determination – Planning Factors.

17.57.070(A). *Landscaping shall be accomplished within the following ranges:*

4. *Multiple-family, 25 percent of the gross area. This may be reduced to not less than 15 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.)*

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. *$\frac{ALC \text{ (additional lot coverage)}}{ELC \text{ (existing lot coverage)}} \times \% \text{ of landscaping required} \times \text{Total lot area}$*

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;*

APPLICANT'S RESPONSE: The application material indicates that the Total Landscaped Area is 11,675 square feet and the Percent Landscaped is 14%.

FINDING: SATISFIED. Based on the Area Determination formula for the expansion of a parking lot in a Multiple-family zone, the amount of required landscaping is 5,414 square feet. **See Figure**

Attachments:

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7 (Area Determination Formula Worksheet). The landscape plan proposes 11,675 square feet of landscaping, which is in excess of the required area.

Figure 7: Area Determination Formula Worksheet

Address	Zone	Minimum Required Landscaping 17.057.070(A)	Gross Lot Area (s.f.)	Required Parking & Loading (s.f.)					Lot Coverage	Area Determination Formula ¹ 17.57.070(A)(5)	Not-To-Exceed Area ² 17.57.070(A)(5)	Required Landscaping (s.f.) 17.57.070(A)(5)
				Parking Lot	Standard 8.5x19	Compact 8x16	HC 12x19	Loading Bay 12x35				
4155 NE 3 Mile Lane	R-4PD	25%	83,320	Existing	49,487	0	0	0	0	49,487		
				Additional	21,655	0	0	0	0	21,655	9,115	5,414

¹ [ALC (additional lot coverage)]/ELC (existing lot coverage)] x (% required landscaping) x (total lot area)
² ALC (additional lot coverage) x (% required landscaping)

17.57.070(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:

17.57.070(B)(1). Compatibility with the proposed project and the surrounding and abutting properties and the uses occurring thereon.

APPLICANT'S RESPONSE: The applicant did not provide a written response in the application.

FINDING: SATISFIED. The proposed project is the expansion and improvement of an existing Recreation Vehicle storage lot for the residents of Olde Stone Village. The existing RV storage lot is located on the southern portion of the site. The northern portion of the site is a park space that includes a basketball court and a grass field. Two mature shore pines are located on the northern property line. East and south of the subject site are undeveloped vacant lots. North and west of the subject site are the residential mobile home lots. A chain link fence and gate encircles the site of the proposed RV storage lot. The subject site is also visible from Highway 18 due to the undeveloped lots to the east and south of the subject site.

The proposed project consists of a paved parking lot with 102 spaces, ranging in size from nine (9) feet by 20 feet, to 14 feet by 40 feet. A maintenance building is proposed for the southwest corner of the site.

The proposed landscape plan features planting areas around the perimeter of the parking lot. North of Heather Drive along the western edge of the site, a 15 foot wide planting area provides space for a hedge of *Ligustrum japonicum* 'Texanum' (Texan Japanese Privet), an evergreen shrub growing up to 10 feet tall and six (6) feet wide, behind swaths of groundcovers with evenly spaced trees. The groundcovers are *Mahonia repens* (Creeping Mahonia), a native evergreen spreading shrub that grows to one (1) foot in height, and *Arctostaphylos uva-ursi* 'Massachusetts' (Massachusetts Kinnickinick), a low growing native evergreen spreading groundcover. Spaced at 40 feet on center within the groundcover plantings are *Ginkgo biloba* 'Princeton Sentry' (Princeton Sentry Ginkgo). The Princeton Sentry Ginkgo is a deciduous tree that reaches up to 60 feet in height and 25 feet in width in maturity. The planting area along the northern property line expands to 20 feet in width. There, a native evergreen shrub planting mix including Creeping Mahonia, *Polystichum munitum* (Western Sword Fern), and *Vaccinium ovatum* (Evergreen Huckleberry) is proposed for the ground plane below the two (2) existing shore pine trees. Additionally, five (5)

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Thuja plicata 'Fastigiata' (Hogan Western Red Cedar) are proposed along the north property line. Fastigiata Red Cedars are native evergreen trees that grow to 60 feet in height and 15 feet in width. The perimeter planting beds along the east, south, and west property line (south of Heather Drive) are six (6) to seven (7) feet in width. Along these property lines are alternating evergreen hedges of *Viburnum tinus* (Laurustinus) and *Thuja occidentalis* 'Smaragd' (Smaragd Arborvitae). Laurustinus grows to 12 feet in height and 6 feet in width, and Smaragd Arborvitae grows to approximately 15 feet in height and four (4) feet in width.

Light standards are spaced intermittently around the perimeter of the parking lot, and within the landscape areas along the west property line south of Heather Drive and the south property line, a series of electrical receptacles are proposed.

The proposed use of the subject site is the parking and storage of recreational vehicles. The size and maneuvering requirements of recreational vehicles limits the practicality of landscaping within the interior of the parking lot, therefore landscaping was provided exclusively around the exterior of the lot. The perimeter landscaping appears compatible with the proposed use of the site, as do the plants that were selected.

To the north and west of the subject site are manufactured home lots. The landscape areas adjacent to the manufactured home lots are the widest proposed, allowing for the most quantity and variety of planting to screen and buffer the parking lot from the residences. A solid evergreen hedge and row of deciduous trees along the west property line achieves this function, as does the cluster of existing and proposed evergreen trees on the north property line. The trees, particularly along the west property line, will provide shade to the parking lot.

East and south of the subject site are undeveloped lots that are in agricultural use. Because these adjacent lots are undeveloped, the subject site is visible from Highway 18 at its westbound entrance into McMinnville. No trees are proposed along the south and west edges that would provide shade to the parking lot, but tall evergreen hedges along the east and south property lines would provide visual screening and buffering of the RV storage.

Overall, staff finds the proposed landscaping is compatible with the proposed development and that the subject site will be compatible with surrounding and abutting properties.

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

APPLICANT'S RESPONSE: The applicant did not provide a written response in the application.

FINDING: SATISFIED. Landscaping proposed around the perimeter of the parking lot is of a type and nature that would provide visual screening and of the use from adjacent uses, and help mitigate the impact of the parking lot on adjacent neighborhoods and from nearby Highway 18. Evergreen hedges that surround the site would reach 10 to 15 feet in height based on the plant material proposed to provide year-round screening of the site. Trees on the north and west edges would provide further screening and buffering of the adjacent residential neighborhood. The existing chain-link fence with privacy slats provides an additional layer of screening beyond the proposed plant material.

17.57.070(B)(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.*

APPLICANT'S RESPONSE: The applicant did not provide a written response in the application.

FINDING: SATISFIED. Two (2) existing *Pinus contorta* var. *contorta* (Shore Pine) are located along the northern property line. They are retained in the proposed landscape plan and incorporated into the landscape design. The large landscape area the trees are within provides a watering area almost equal to the entire crown area of the trees. The site is essentially flat in the area of the existing trees, and the existing grade will be generally maintained, meaning the impact of the development on the root zone of the existing trees is going to be minimal.

17.57.070(B)(4). *The development and use of islands and plantings therein to break up parking areas.*

APPLICANT'S RESPONSE: The applicant did not provide a written response in the application.

FINDING: SATISFIED WITH CONDITION. As described in the Purpose and Intent of the Landscaping Chapter of the McMinnville Zoning Ordinance, the goals of required landscaping are to "Provide parking lot landscaping to reduce the harmful effects of heat, noise and glare associated with motor vehicle use." Planting islands are not proposed within the parking lot, due to the maneuvering requirements of recreational vehicles, and the risk of damage to the landscaping or to personal property from maneuvering large RVs around the parking lot. Therefore the mitigation of the impact of the parking areas must come from the perimeter landscaping. The tall Ginkgo trees along the west property line (north of Heather Drive) would provide shade to the parking, helping to mitigate heat noise and glare. However, no shade trees are proposed along the south and east property lines that would also provide mitigation of the impacts of the parking lot. A condition has been included requiring the provision of trees along the south and east property lines to provide mitigation of the heat, noise, and glare, meeting the intent of the Landscaping Chapter of the McMinnville Zoning Ordinance.

PROPOSED CONDITION FOR FINDING: That shade trees be provided in the planting areas along the east and south property lines at a regular spacing appropriate for the tree species selection and that accommodates the utility and light standard locations.

17.57.070(B)(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.*

APPLICANT'S RESPONSE: The applicant did not provide a written response in the application.

FINDING: SATISFIED. The subject site is not adjacent to a public right-of-way, therefore street trees are not required. No prohibited tree is proposed within the parking area.

17.57.070(B)(6). *Suitable watering facilities or irrigation systems must be included in or near all planted areas.*

APPLICANT'S RESPONSE: The following note is found on the landscape plan:

GENERAL NOTES:

1. Contractor is to verify all plant quantities.
2. Adjust plantings in the field as necessary.
3. Project is to be irrigated by an automatic, underground system, which will provide full coverage for all plant material. System is to be design/ build by Landscape Contractor. Guarantee system for a minimum one year. Show drip systems as alternate bid only.
4. All plants are to be fully foliated, well branched and true to form.
5. Contractor is to notify Landscape Architect and/or Owner's Representative of any site changes or conditions that may be detrimental to plant health or cause future problems.

Attachments:

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FINDING: SATISFIED. The proposed landscape plan indicates that the project is to be watered by an automatic, underground irrigation system that will provide full coverage for all plant material. Therefore, this criterion is satisfied.

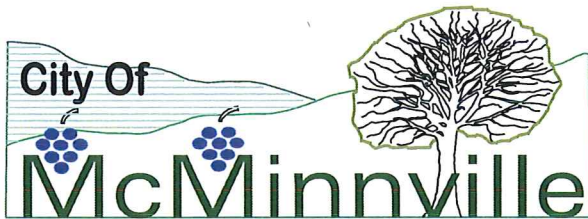
17.57.070(C) *All landscaping approved through the Landscape Review Committee shall be continually maintained, including necessary watering, weeding, pruning, mowing, and replacement.*

APPLICANT'S RESPONSE: The applicant did not provide a written response in the application.

FINDING: SATISFIED WITH CONDITION. A condition of approval has been included ensuring 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.

PROPOSED CONDITION FOR FINDING: 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.

JF



Planning Department

231 NE Fifth Street • McMinnville, OR 97128

(503) 434-7311 Office • (503) 474-4955 Fax

www.mcminnvilleoregon.gov

569-19 - 000146-PCNG

Office Use Only:

File No. L 10-19

Date Received 4/16/19

Fee \$801.35

Receipt No. _____

Received by RH

Landscape Plan Review Application

Applicant Information

Applicant is: ☒ Property Owner ☐ Contract Buyer ☐ Option Holder ☐ Agent ☐ Other _____

Applicant Name Paul Brewer, Olde Stone Village NW, LLC Phone 949.249.1830

Contact Name _____ Phone _____
(If different than above)

Address PO Box 6956

City, State, Zip Laguna Niguel, CA 92607

Contact Email pbrewer@villagenorthwest.com

Property Owner Information

Property Owner Name Same as above Phone _____
(If different than above)

Contact Name _____ Phone _____

Address _____

City, State, Zip _____

Contact Email _____

Site Location and Description

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

Property Address 4155 NE Three Mile Lane

Assessor Map No. R4 4 - 24C- TL 200 Total Site Area 83,320 SF

Subdivision A portion of Airport Rendezvous Block _____ Lot 3 (a portion)

Comprehensive Plan Designation Residential Zoning Designation R4

Landscaping Information

1. Total Landscaped Area: 11,675
2. Percent Landscaped: 14 %
3. Building Floor Area:
New Structure: Future Maintenance Bldg 30x50 Existing Structure: 440 SF to be removed Addition: _____
4. Architect Name OTTEN LANDSCAPE ARCHITECTS Phone 503.972.0311
(Landscape Architect; Engineer; or Other Designer)
Contact Name Janet Otten Phone _____
Address 3933 SW Kelly Ave. Suite B
City, State, Zip Portland, OR 97239
Contact Email janet@ottenla.com

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

Date

Property Owner's Signature

Date



City of McMinnville
Planning Department
231 NE Fifth Street
McMinnville, OR 97128
(503) 434-7311
www.mcminnvilleoregon.gov

EXHIBIT 3 - STAFF REPORT

DATE: August 21, 2019
TO: Landscape Review Committee Members
FROM: Jamie Fleckenstein, Associate Planner
SUBJECT: Street Tree Removal Application (L 17-19)

STRATEGIC PRIORITY & GOAL:



GROWTH & DEVELOPMENT CHARACTER

Guide growth & development strategically, responsively & responsibly to enhance our unique character.

OBJECTIVE/S: Strategically plan for short and long-term growth and development that will create enduring value for the community

Report in Brief:

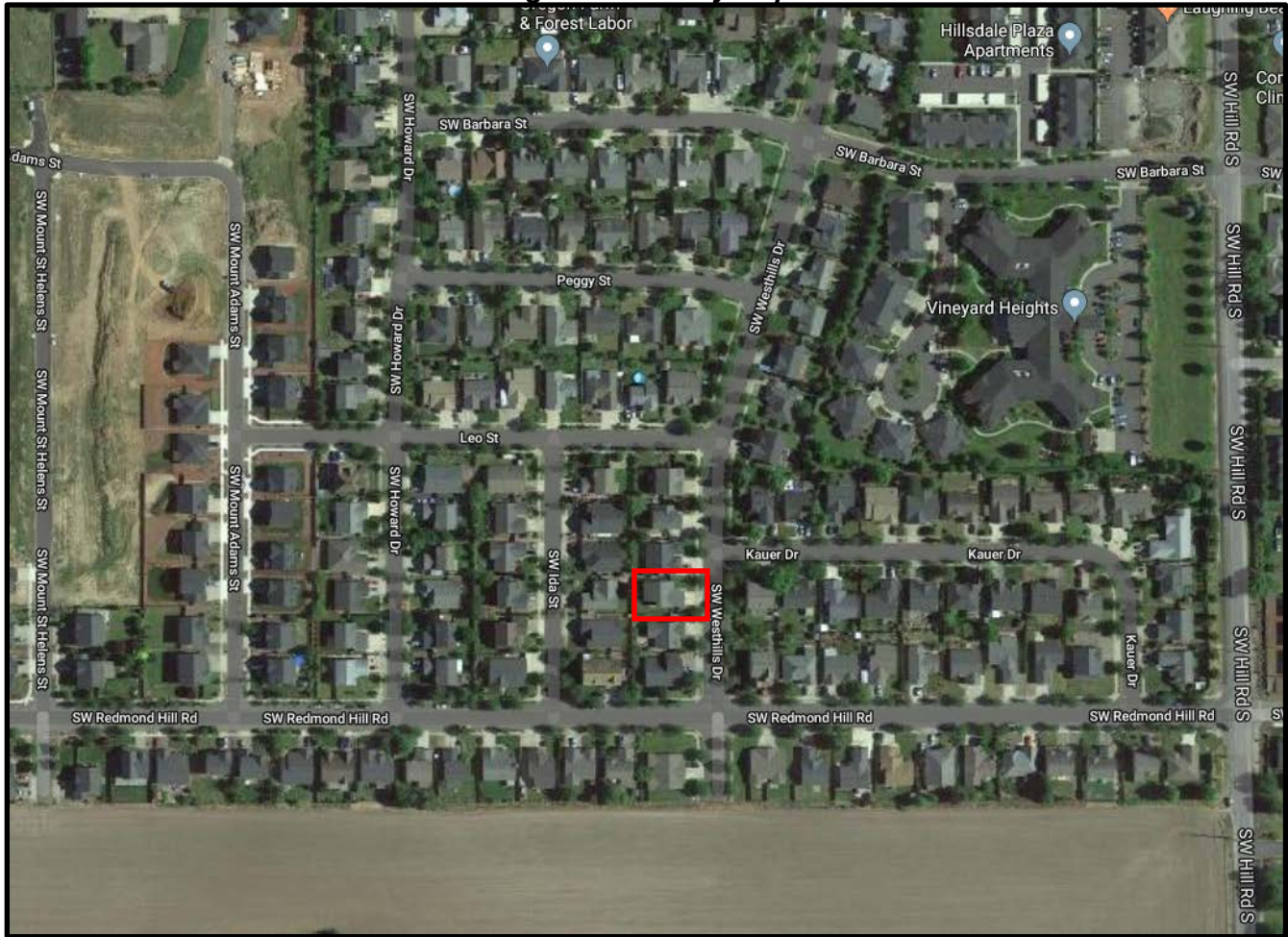
An application to remove one (1) street tree from the public right-of-way along SW West Hills Drive (L 17-19) to be reviewed by the Landscape Review Committee.

Background:

The applicant and adjacent property owner, Robyn Shaw, submitted a street tree removal application to remove one (1) street tree from the right-of-way adjacent to the property at 457 SW West Hills Drive. The subject property is more specifically described as Tax Lot 7236, Section 19CA, T. 4. S., R. 4 W., W.M. The subject property is located within the Hillsdale First Addition subdivision. **See Figure 1 (Vicinity Map).**

Attachments:

Attachment A – Decision, Conditions of Approval, and Findings of Fact of the McMinnville Landscape Review Committee for Approval of a Street Tree Removal at 457 SW West Hills Drive

Figure 1: Vicinity Map**Discussion:*****Summary of Criteria & Issues:***

The applicant has requested the removal of one (1) street tree because of conflict with public improvements. The subject street tree is adjacent to the property at 457 SW West Hills Drive in the Hillsdale First Addition subdivision. There is no approved street tree plan for the Hillsdale First Addition. **See Figure 2 (Applicant's Proposed Site Plan).**

The subject tree is an *Acer rubrum* var. (Red Maple variety), approximately 9 inches in diameter at breast height (DBH) and approximately 25 feet in height. The tree is within approximately 10 feet of two (2) water meters, and exhibits extensive surface rooting in the direction of the water meters that has impacted the water meter boxes. **See Figure 3 (Surface Rooting).** Additionally, the surface roots had lifted the sidewalk panel adjacent to the water meters, causing a significant surface discontinuity and trip hazard in the path of travel. A crack is present in the curb adjacent to the tree. The sidewalk panel has since been replaced, though the tree root(s) appear to remain below the new panels. **See Figures 4 and 5 (Street Tree Conflicts – Before Repair) and Figure 6 (Street Tree Conflicts – After Repair).** A utility vault straddles the common property line, and the damage to the nearby water meters and the adjacent sidewalk would suggest that the underground utilities are also at risk for conflict from the tree roots. **See Figure 7 (Utility Vault).** Although the damaged sidewalk has been repaired by replacing the panels, it is anticipated that the roots below the sidewalk would continue to grow and expand, impacting the new sidewalk as it had the previously damaged sidewalk and potentially the utility vault. The roots appear to

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be impacting both nearby water meters boxes. Therefore, this request would meet the review criteria for granting approval to remove a tree in conflict with adjacent public improvements.

Figure 2: Applicant's Proposed Site Plan

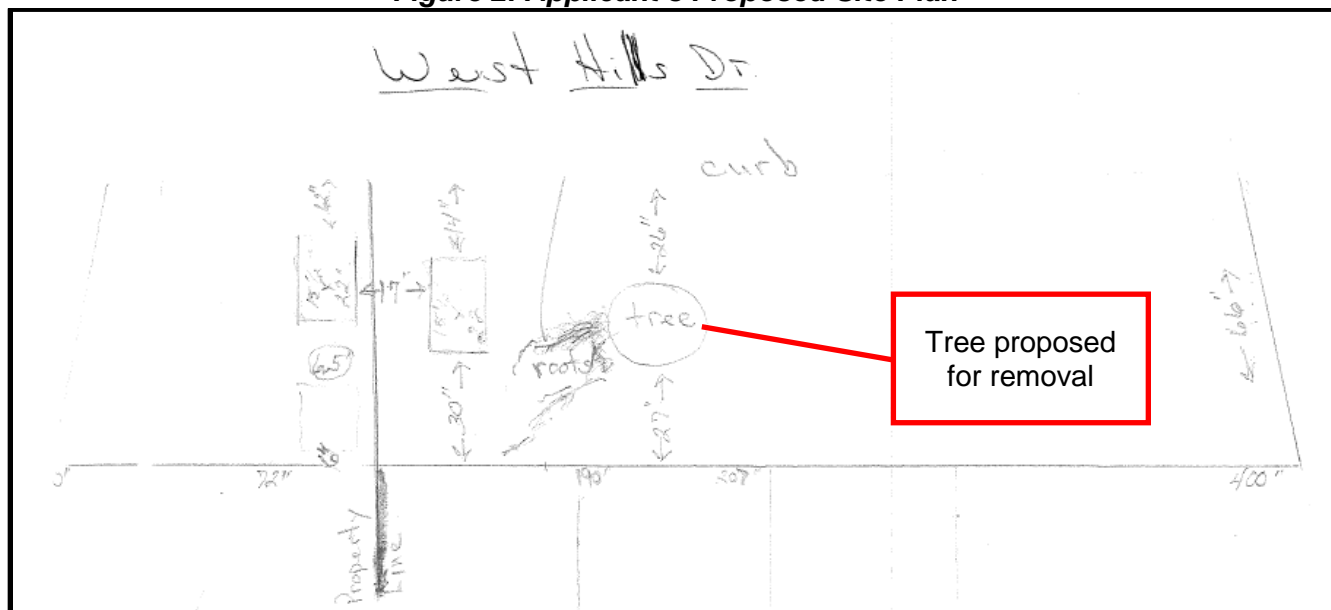


Figure 3: Surface Rooting



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Attachment A – Decision, Conditions of Approval, and Findings of Fact of the McMinnville Landscape Review Committee for Approval of a Street Tree Removal at 457 SW West Hills Drive

Figure 4 (Street Tree Conflicts – Before Repair)



Figure 5 (Street Tree Conflicts – Before Repair)



Attachments:

Attachment A – Decision, Conditions of Approval, and Findings of Fact of the McMinnville Landscape Review Committee for Approval of a Street Tree Removal at 457 SW West Hills Drive

Figure 6 (Street Tree Conflicts – After Repair)

The subject street tree is located in a five (5) foot wide planting strip between the driveway to the south, and the extension of the property line to the north. Water meters for the subject property and the adjacent property are both located at the extension of the property line. Given the minimum five (5) foot spacing standard from private driveways and the minimum ten (10) foot spacing standard from water lines and meters, there is sufficient space in the planter strip to accommodate a replacement tree.

There is no approved street tree plan for the Hillsdale First Addition subdivision on file with the Planning Department. Because there is no approved street tree for the subject site, a replacement tree selected from the recommended medium street trees in the McMinnville Street Tree List, or other species/variety approved by the McMinnville Landscape Review Committee, would be of appropriate size and character to remain consistent with surrounding street trees.

Fiscal Impact:

None.

Landscape Review Committee Options:

- 1) **APPROVE** the application, per the decision document provided which includes the findings of fact and conditions of approval.
- 2) **APPROVE** the application with additional conditions of approval, providing findings of fact for the inclusion of additional conditions.
- 3) **CONTINUE** the application, requesting the applicant to submit more information or details for review.

Attachments:

Attachment A – Decision, Conditions of Approval, and Findings of Fact of the McMinnville Landscape Review Committee for Approval of a Street Tree Removal at 457 SW West Hills Drive

4) **DENY** the application, providing findings of fact for the denial in the motion to deny.

Staff Recommendation:

Staff has reviewed the application for consistency with the applicable criteria. Staff finds that, subject to the recommended conditions specified in the attached Decision Document, the application submitted by the applicant contains sufficient evidence to find the applicable criteria are satisfied.

Staff **RECOMMENDS APPROVAL** of the application, subject to the conditions specified in the attached Decision Document.

Suggested Motion:

THAT BASED ON THE FINDINGS OF FACT, THE CONCLUSIONARY FINDINGS FOR APPROVAL, AND THE MATERIALS SUBMITTED BY THE APPLICANT, I MOVE THAT THE LANDSCAPE REVIEW COMMITTEE APPROVE THE DECISION DOCUMENT AND APPROVE THE STREET TREE REMOVAL APPLICATION L 17-19 SUBJECT TO THE CONDITIONS SPECIFIED IN THE DECISION DOCUMENT.

JF

Attachments:

Attachment A – Decision, Conditions of Approval, and Findings of Fact of the McMinnville Landscape Review Committee for Approval of a Street Tree Removal at 457 SW West Hills Drive



CITY OF MCMINNVILLE
PLANNING DEPARTMENT
231 NE FIFTH STREET
MCMINNVILLE, OR 97128

503-434-7311
www.mcminnvilleoregon.gov

DECISION, CONDITIONS, FINDINGS OF FACT AND CONCLUSIONARY FINDINGS FOR THE APPROVAL OF A STREET TREE REMOVAL AT 457 SW WEST HILLS DRIVE

DOCKET: L 17-19 (Street Tree Removal)

REQUEST: Approval to remove 1 street tree from the right-of-way adjacent to the subject property

LOCATION: 457 SW West Hills Drive (Tax Lot 7236, Section 19CA, T. 4. S., R. 4 W., W.M.)

ZONING: R-2PD (Single-family Residential Planned Development)

APPLICANT: Robyn Shaw, property owner

STAFF: Jamie Fleckenstein, PLA, Associate Planner

DATE DEEMED COMPLETE: July 31, 2019

DECISION MAKING BODY & ACTION: McMinnville Landscape Review Committee makes a recommendation of approval or denial to the Planning Director.

DECISION DATE & LOCATION: August 21, 2019, Community Development Center, 231 NE 5th Street, McMinnville, Oregon

PROCEDURE: Any street tree removal is subject to review in accordance with procedures specified in Chapter 17.58-Trees of the McMinnville Zoning Ordinance. The application for street tree removal is subject to the procedures specified in Section 17.58.040 Tree Removal/Replacement.

CRITERIA: The applicable criteria are specified in Section 17.58.050 of the McMinnville Zoning Ordinance, McMinnville City Code.

APPEAL: The decision may be appealed within 15 days of the date the decision is mailed as specified in Section 17.58.040(A) of the McMinnville Zoning Ordinance.

COMMENTS: This matter was referred to the following public agencies for comment: McMinnville Public Works Department and McMinnville Water and Light. Their comments are provided in this document. No public notice of the application was required by the McMinnville Zoning Ordinance. No additional comments were received by the Planning Department.

DECISION

Based on the findings and conclusionary findings, the Landscape Review Committee finds the applicable criteria are satisfied with conditions and recommends **APPROVAL** of the street tree removal (L 17-19) **subject to the conditions of approval provided in this document.**

DECISION: APPROVAL WITH CONDITIONS

Planning Staff: _____
 Jamie Fleckenstein, Associate Planner

Date: August 21, 2019

Planning Department: _____
Heather Richards, Planning Director

Date: August 21, 2019

Attachments:

Attachment 1 – Application for Street Tree Removal (L 17-19)

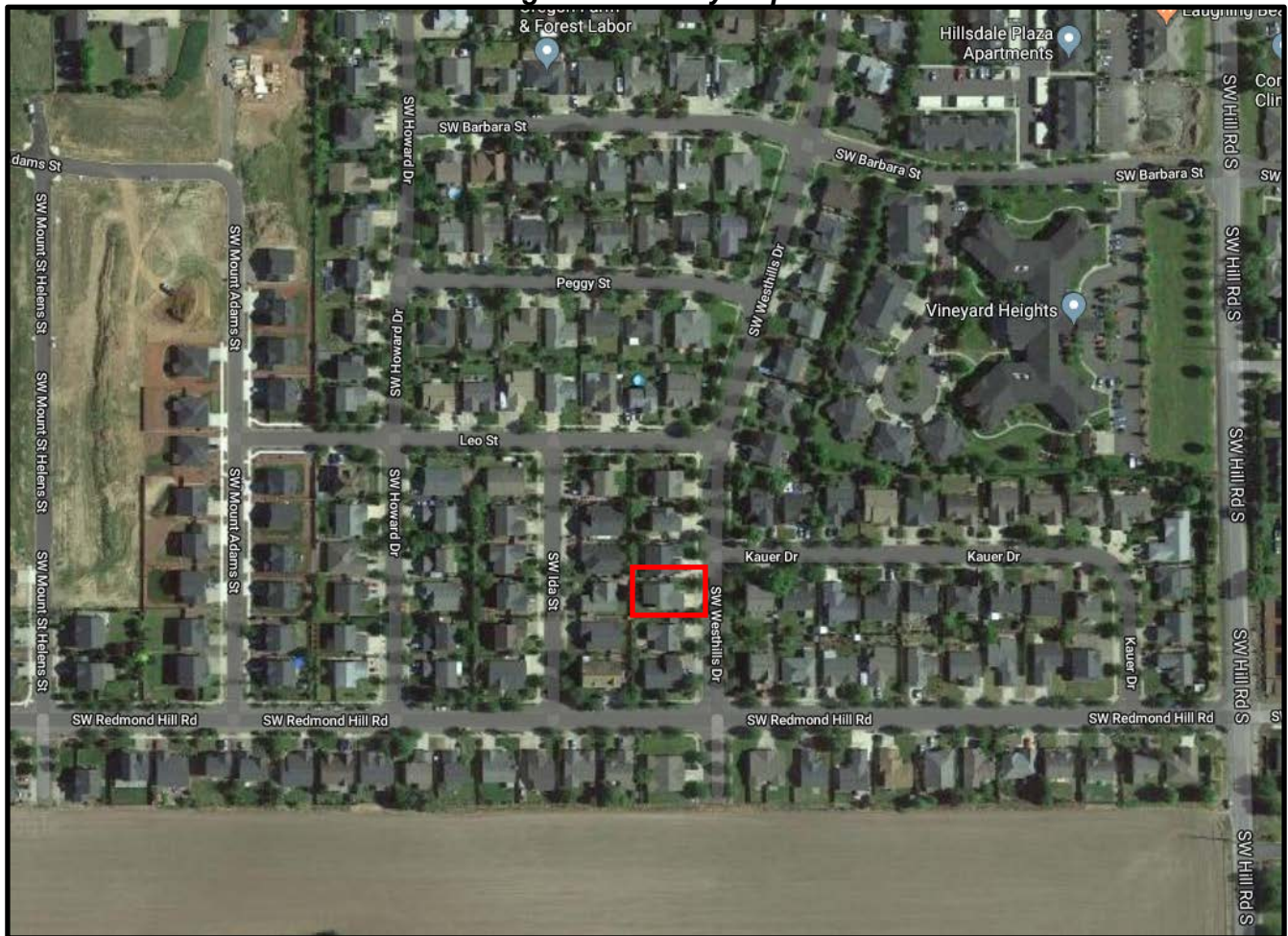
I. APPLICATION SUMMARY:

Subject Property & Request

The application requests the removal of one (1) street tree from the public right-of-way adjacent to the subject property. The application does not indicate if a replacement street tree is proposed. Removal of a tree within the public right-of-way requires City approval.

The subject property is located at 457 SW West Hills Drive within the Hillsdale First Addition subdivision. **See Figure 1 (Vicinity Map).**

Figure 1: Vicinity Map



Summary of Criteria & Issues

The applicant has requested the removal of one (1) street tree because of conflict with public improvements. The subject street tree is adjacent to the property at 457 SW West Hills Drive in the Hillsdale First Addition subdivision. There is no approved street tree plan for the Hillsdale First Addition. **See Figure 2 (Applicant's Proposed Site Plan).**

The subject tree is an *Acer rubrum* var. (Red Maple variety), approximately 9 inches in diameter at breast height (DBH) and approximately 25 feet in height. The tree is within approximately 10 feet of two (2) water meters, and exhibits extensive surface rooting in the direction of the water meters that has impacted the water meter boxes. **See Figure 3 (Surface Rooting).** Additionally, the surface roots had lifted the sidewalk panel adjacent to the water meters, causing a significant surface discontinuity and trip hazard in the path of travel. A crack is present in the curb adjacent to the tree. The sidewalk panel has since been replaced, though the tree root(s) appear to remain below the new panels. **See**

Attachments:

Attachment 1 – Application for Street Tree Removal (L 17-19)

Figures 4 and 5 (Street Tree Conflicts – Before Repair) and Figure 6 (Street Tree Conflicts – After Repair). A utility vault straddles the common property line, and the damage to the nearby water meters and the adjacent sidewalk would suggest that the underground utilities are also at risk for conflict from the tree roots. **See Figure 7 (Utility Vault).** Although the damaged sidewalk has been repaired by replacing the panels, it is anticipated that the roots below the sidewalk would continue to grow and expand, impacting the new sidewalk as it had the previously damaged sidewalk and potentially the utility vault. The roots appear to be impacting both nearby water meters boxes. Therefore, this request would meet the review criteria for granting approval to remove a tree in conflict with adjacent public improvements.

Figure 2: Applicant's Proposed Site Plan

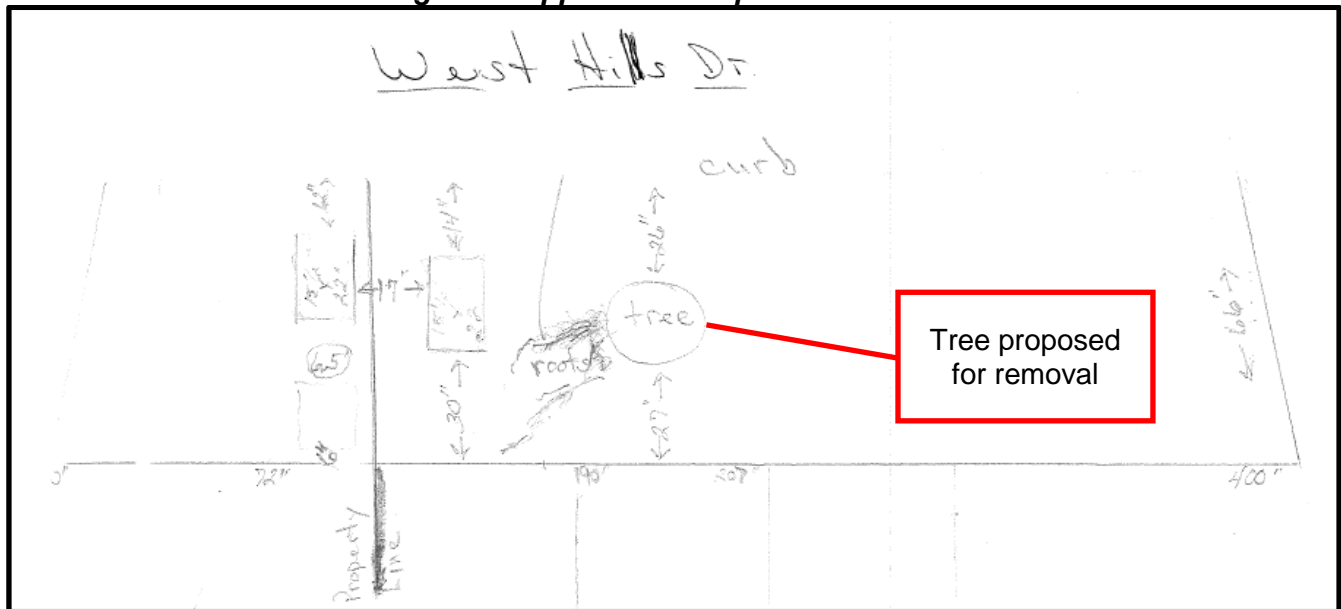


Figure 3: Surface Rooting



Attachments:

Attachment 1 – Application for Street Tree Removal (L 17-19)

Figure 4 (Street Tree Conflicts – Before Repair)



Figure 5 (Street Tree Conflicts – Before Repair)



Attachments:

Attachment 1 – Application for Street Tree Removal (L 17-19)

Figure 6 (Street Tree Conflicts – After Repair)**II. CONDITIONS:**

1. That all costs and liability associated with tree removal, stump grinding, and tree replacement shall be borne by the applicant.
2. That the applicant contact the appropriate utility-locate service (dial 811 or 800-332-2344) prior to removing the trunk, stump, and roots to ensure that underground utilities are not damaged during this process. If any facilities are damaged during tree removal or stump grinding, contact McMinnville Water & Light immediately at 503-472-6158.
3. That the trees' stumps and remaining surface roots shall be removed at least six (6) 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.
4. That one (1) replacement street tree be planted in the SW West Hills Drive right-of-way planter strip, south of the existing tree's location. The replacement tree shall be a recommended medium street tree from the McMinnville Street Tree List, or other species/variety approved by the McMinnville Landscape Review Committee.
5. That replacement 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.

Attachments:

Attachment 1 – Application for Street Tree Removal (L 17-19)

6. That replacement trees shall be planted per the approved City detail (see enclosure). The applicant shall provide root barrier protection in order to minimize sidewalk and tree root conflicts. The barrier shall be placed on the public sidewalk side of the tree and the curb side of the tree. The root barrier protection shall be placed in 10-foot lengths, centered on the tree, and to a depth of eighteen (18) inches. In addition, the tree shall be provided with two (2) deep watering tubes to promote deep root growth.
7. That the applicant shall contact the McMinnville Public Works Department at (503) 434-7316 to discuss specific staking, watering tube requirements, and to schedule an inspection prior to backfilling the replacement tree's planting pit.
8. That the applicant is reminded that trees are not to be planted within:
 - a. Five (5) feet of a private driveway or alley;
 - b. Ten (10) feet of a fire hydrant, transformer, power or water vault, water meter box, utility pole, sanitary sewer, storm or water line; or
 - c. Twenty (20) feet of street light standards or street intersections.
9. That the planter areas shall be restored to original grade immediately following the planting of the replacement tree.
10. That the applicant shall complete the tree removal and tree replacement within six (6) months of this approval notification, or January 17, 2020.

III. ATTACHMENTS:

1. L 17-19 Application and Attachments (on file with the Planning Department)

IV. COMMENTS:

Agency Comments

This matter was referred to the following public agencies for comment: McMinnville Public Works Department and McMinnville Water and Light. The following comments have been received and incorporated into the conditions of approval:

- McMinnville Public Works:

Site Review

1. The tree in question is a maple variety.
2. The tree is planted in a 5' planter strip between the curb and sidewalk, with bark mulch as ground cover.
3. The tree is approximately 8-10" DBH and 25-30' in height
4. There are no overhead facility conflicts.
5. There is a minor crack in the adjacent curb.
6. The damaged sidewalk depicted in the application materials has already been replaced by the applicant.
7. The tree exhibits minor dieback in the upper canopy. There is one area on the tree that shows included bark and a tight attachment, which would make the involved limb somewhat at risk for a splitting failure. However the limb is only about 2-3" in diameter.
8. The tree shows excessive surface rooting which has impacted the adjacent sidewalk as well as the water meter shown in the application materials. In looking at the surrounding trees it appears that this particular tree was planted too high.

Attachments:

Attachment 1 – Application for Street Tree Removal (L 17-19)

Recommendations

1. Given the associated sidewalk damage and excessive surface rooting, with the resulting potential for continued damage to the adjacent curb and sidewalk, we would recommend approval of this request.
2. Suggested conditions of approval:
 - a. Applicant to be responsible for all costs related to removal and replacement.
 - b. Applicant required to grind stump to a minimum of 6" below grade.
 - c. Applicant to call for a utility locate prior to removal.
 - d. Applicant to replace the trees with two trees of a variety acceptable to the Planning Department, minimum 2" caliper.
 - e. Applicant to plant trees as per the approved City detail.
 - f. The new tree should be relocated to the south in the parking strip to maximize the distance from the water meters. The tree should be planted no closer than 5' from the driveway approach.
 - g. Applicant to contact Public Works (503)434.7316 for an inspection prior to backfill.



Photo 1: New sidewalk and ground cover



Photo 2: View of tree looking SW

Attachments:

Attachment 1 – Application for Street Tree Removal (L 17-19)

- McMinnville Water & Light:

There are water service lines and water meters near the tree. Use extreme caution when removing roots. If the water services or meters/boxes get damaged, please contact MW&L immediately at 503-472-6158. Call for locates (dial 811) for all underground utilities prior to removing the trunk and roots. This is a free service and the law. They will contact the proper utility companies. If you do damage any facilities, please contact MW&L immediately at 503-472-6158.

Power buried in the immediate area. Contact Water & Light if contact is made with buried power conduits. Call for locates.

Public Comments

No public notice of the application was provided by the City of McMinnville, as Street Tree Removal applications are reviewed by the process described in Section 17.58.040 (Tree Removal/Replacement) of the McMinnville Zoning Ordinance, which does not require public notification. No public comments were received prior to the Planning Director's decision.

V. FINDINGS OF FACT - PROCEDURAL FINDINGS

1. Robyn Shaw, adjacent property owner, submitted a Street Tree Removal Permit application on July 25, 2019.
2. The application was deemed complete on July 30, 2019.
3. Notice of the application was referred to the following public agencies for comment: McMinnville Public Works Department and McMinnville Water and Light. Comments received from public agencies are addressed in the Decision Document.
4. No public notice of the application was provided by the City of McMinnville, as Street Tree Removal applications are reviewed by the process described in Section 17.58.040 (Tree Removal/Replacement) of the McMinnville Zoning Ordinance, which does not require public notification. No public comments were received prior to the public meeting.
5. A public meeting was held by the McMinnville Landscape Review Committee on August 21, 2019 to review the application and proposed street tree removal request.

VI. FINDINGS OF FACT - GENERAL FINDINGS

1. **Location:** 457 SW West Hills Drive (Tax Lot 7236, Section 19CA, T. 4. S., R. 4 W., W.M.)
2. **Size:** 6,000 square feet (0.14 acres)
3. **Comprehensive Plan Map Designation:** Residential
4. **Zoning:** R-2PD (Single-family Residential)
5. **Overlay Zones/Special Districts:** Planned Development Ordinance No. 4713
6. **Current Use:** Single-family Residence
7. **Inventoried Significant Resources:**
 - a. **Historic Resources:** None.

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Attachment 1 – Application for Street Tree Removal (L 17-19)

- b. **Other:** None identified.
8. **Other Features:** Five (5) foot wide planter strip adjacent to SW West Hills Drive.
9. **Utilities:**
- a. **Water:** The property is served by a water main in SW West Hills Drive. The treatment plant has sufficient treatment capacity.
 - b. **Sewer:** The property is served by a sewer main in SW West Hills Drive. The municipal water reclamation facility has sufficient capacity to accommodate expected waste flows resulting from the use.
 - c. **Stormwater:** Storm water in SW West Hills Drive is conveyed by curb and gutter to a catch basin and storm drain.
 - d. **Other Services:** Overhead utilities are not present on SW West Hills Drive.
10. **Transportation:** SW West Hills Drive is classified as a Local Residential Street in the Transportation System Plan (TSP). The existing right-of-way is 60 feet wide. The street is improved with curb and gutter, sidewalk, and planter strip on both sides of the street. The street has two travel lanes and has on-street parking on both sides of the street, with no bike lanes.

VII. CONCLUSIONARY FINDINGS:

The Conclusionary Findings are the findings regarding consistency with the applicable criteria for the application. The applicable criteria for a Street Tree Removal Permit are specified in Section 17.58.050 of the Zoning Ordinance.

In addition, the goals, policies, and proposals in Volume II of the Comprehensive Plan are to be applied to all land use decisions as criteria for approval, denial, or modification of the proposed request. Goals and policies are mandated; all land use decisions must conform to the applicable goals and policies of Volume II. "Proposals" specified in Volume II are not mandated, but are to be undertaken in relation to all applicable land use requests.

Comprehensive Plan Volume II:

The following Goals, Policies, and Proposals from Volume II of the Comprehensive Plan provide criteria applicable to this request:

The implementation of most goals, policies, and proposals as they apply to this application are accomplished through the provisions, procedures, and standards in the city codes and master plans, which are sufficient to adequately address applicable goals, policies, and proposals as they apply to this application.

The following additional findings are made relating to specific Goals and Policies:

GOAL VI 1: TO ENCOURAGE DEVELOPMENT OF A TRANSPORTATION SYSTEM THAT PROVIDES FOR THE COORDINATED MOVEMENT OF PEOPLE AND FREIGHT IN A SAFE AND EFFICIENT MANNER.

Policy 132.38.00: Aesthetics and streetscaping shall be a part of the design of McMinnville's transportation system. Streetscaping, where appropriate and financially feasible, including public art, shall be included in the design of transportation facilities. Various streetscaping designs and materials shall be utilized to enhance the livability in the area of a transportation project.

APPLICANT'S RESPONSE: The applicant did not provide a written response in the application.

Attachments:

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FINDING: SATISFIED. The removal and replacement of the subject tree in the SW West Hills Drive right-of-way would improve the safety of the pedestrian way, the aesthetic appearance of the streetscape, and the livability of the surrounding area. The subject tree has a history of conflict with the adjacent sidewalk panel. Its roots lifted the adjacent sidewalk panel, which has since been replaced because it created a trip hazard in the public right-of-way. Removal and replacement of the tree will avoid continuing conflict with the newly replaced sidewalk panel, and the installation of root barrier and deep watering tubes with the replacement tree per City standards will help prevent future impacts to public improvements.

GOAL X 1: TO PROVIDE OPPORTUNITIES FOR CITIZEN INVOLVEMENT IN THE LAND USE DECISION MAKING PROCESS ESTABLISHED BY THE CITY OF McMINNIVILLE.

Policy 188.00: The City of McMinnville shall continue to provide opportunities for citizen involvement in all phases of the planning process. The opportunities will allow for review and comment by community residents and will be supplemented by the availability of information on planning requests and the provision of feedback mechanisms to evaluate decisions and keep citizens informed.

APPLICANT'S RESPONSE: The applicant did not provide a written response in the application.

FINDING: SATISFIED. McMinnville continues to provide opportunities for the public to review and obtain copies of the application materials and completed staff report prior to the McMinnville Landscape Review Committee review of the request and recommendation at an advertised public meeting. All members of the public have access to provide testimony and ask questions during the public review and hearing process.

McMinnville Zoning Ordinance

The following Sections of the McMinnville Zoning Ordinance (Ord. No. 3380) provide standards and criteria applicable to the request:

17.58.040 Tree Removal/Replacement.

17.58.040(A). *The removal or major pruning of a tree, if applicable under Section 17.58.020, 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. [...]*

APPLICANT'S RESPONSE: The applicant did not provide a written response in the application.

FINDING: SATISFIED. The tree removal was not designated as exempt, and the applicant has filed an application for a Street Tree Removal Permit to be reviewed by the McMinnville Landscape Review Committee.

17.58.040(B). *Trees subject to this ordinance shall be removed or pruned following accepted pruning standards adopted by the City. [...]*

APPLICANT'S RESPONSE: The applicant did not provide a written response in the application.

FINDING: SATISFIED WITH CONDITION #3. A condition of approval has been included to ensure that the tree removal will be performed to accepted City standards.

CONDITION FOR FINDING: That the trees' stumps and remaining surface roots shall be removed at least six (6) inches below grade. At least a two inch thick layer of topsoil shall be

Attachments:

Attachment 1 – Application for Street Tree Removal (L 17-19)

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.

17.58.040(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.*

APPLICANT'S RESPONSE: The applicant did not provide a written response in the application.

FINDING: SATISFIED WITH CONDITIONS #1, 2. Conditions of approval have been included to ensure that the applicant shall be responsible for all costs associated with the tree removal, and that steps are taken to ensure safety to individuals and public and private property.

CONDITIONS FOR FINDING: That all costs and liability associated with tree removal, stump grinding, and tree replacement shall be borne by the applicant.

That the applicant contact the appropriate utility-locate service (dial 811 or 800-332-2344) prior to removing the trunk, stump, and roots to ensure that underground utilities are not damaged during this process. If any facilities are damaged during tree removal or stump grinding, contact McMinnville Water & Light immediately at 503-472-6158.

17.58.040(D). *Approval of a request to remove a tree may be conditioned upon replacement of the tree with another tree approved by the city [...]*

APPLICANT'S RESPONSE: The applicant did not provide a written response in the application.

FINDING: SATISFIED WITH CONDITION #4. The subject street tree is located in a five (5) foot wide planting strip between the driveway to the south, and the extension of the property line to the north. Water meters for the subject property and the adjacent property are both located at the extension of the property line. Given the minimum five (5) foot spacing standard from private driveways and the minimum ten (10) foot spacing standard from water lines and meters, there is sufficient space in the planter strip to accommodate a replacement tree.

There is no approved street tree plan for the Hillsdale First Addition subdivision on file with the Planning Department. Because there is no approved street tree for the subject site, a replacement tree selected from the recommended medium street trees in the McMinnville Street Tree List, or other species/variety approved by the McMinnville Landscape Review Committee, would be of appropriate size and character to remain consistent with surrounding street trees.

CONDITION FOR FINDING: That one (1) replacement street tree be planted in the SW West Hills Drive right-of-way planter strip, south of the existing tree's location. The replacement tree shall be a recommended medium street tree from the McMinnville Street Tree List, or other species/variety approved by the McMinnville Landscape Review Committee.

17.58.040(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.*

APPLICANT'S RESPONSE: The applicant did not provide a written response in the application.

FINDING: SATISFIED WITH CONDITION #3. A condition of approval has been included to ensure that the applicant shall remove the tree stump and surface roots, and restore the planting strip.

CONDITION FOR FINDING: That the trees' stumps and remaining surface roots shall be removed at least six (6) 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.

17.58.040(F). *The applicant shall complete the tree removal, and tree replacement if required, within six months of receiving notification of the Landscape Review Committee's decision. The Landscape Review Committee may allow for additional time to complete the tree replacement to allow for planting in favorable seasons and to promote tree survivability.*

APPLICANT'S RESPONSE: The applicant did not provide a response in the application.

FINDING: SATISFIED WITH CONDITION #10. Conditions of approval have been included to ensure that the applicant shall complete the tree removal within six (6) months of approval.

CONDITIONS FOR FINDING: That the applicant shall complete the tree removal and tree replacement within six (6) months of this approval notification, or February 21, 2020.

17.58.040(G). *Other conditions may be attached to the permit approval by the Landscape Review Committee as deemed necessary.*

APPLICANT'S RESPONSE: The applicant did not provide a written response in the application.

FINDING: SATISFIED WITH CONDITIONS #5, 6, 7, 8, 9. Conditions of approval have been included to ensure that McMinnville's street tree standards are met when planting a replacement street tree.

CONDITIONS FOR FINDING: That replacement 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.

That replacement trees shall be planted per the approved City detail (see enclosure). The applicant shall provide root barrier protection in order to minimize sidewalk and tree root conflicts. The barrier shall be placed on the public sidewalk side of the tree and the curb side of the tree. The root barrier protection shall be placed in 10-foot lengths, centered on the tree, and to a depth of eighteen (18) inches. In addition, the tree shall be provided with two (2) deep watering tubes to promote deep root growth.

That the applicant shall contact the McMinnville Public Works Department at 503-434-7316 to discuss specific staking, watering tube requirements, and to schedule an inspection prior to backfilling the replacement tree's planting pit.

That the applicant is reminded that trees are not to be planted within:

- a. Five (5) feet of a private driveway or alley;
- b. Ten (10) feet of a fire hydrant, transformer, power or water vault, water meter box, utility pole, sanitary sewer, storm or water line; or
- c. Twenty (20) feet of street light standards or street intersections.

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That the planter areas shall be restored to original grade immediately following the planting of the replacement trees.

17.58.050 Review Criteria.

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

17.58.050(B). *The tree is in conflict with public improvements.*

APPLICANT'S RESPONSE: The roots caused damage to the sidewalk and appear to be disturbing the water meter 'box'.

FINDING: SATISFIED. Staff concurs with the Applicant's finding. Staff notes that the applicant provided photo evidence of the damage to the adjacent sidewalk panel and disruption of the nearby water meter boxes caused by the tree roots. The roots lifted the sidewalk panel causing a surface discontinuity in the path of travel, creating a trip hazard in the public right-of way. The impacted sidewalk panels have been replaced since the time of the photographs provided, but the underlying cause of the damage is still present. The subject tree's roots would continue to grow, and create a conflict with the new sidewalk panels. Because of the distance from the tree to the impacted sidewalk and water meters (approximately eight to ten feet), the root(s) that lifted the sidewalk and is disrupting the water meters is likely to be significant to the trees anchoring and support. Pruning a large, lateral root at the base of the tree or further along the root to prevent further growth and damage to the sidewalk and water meters would likely compromise the structure and health of the tree.

Therefore, because of the documented past conflict with the sidewalk, the current conflict with the water meters, and the high potential for future conflict and lifting of the newly replaced sidewalk panels by existing roots left in place, this criterion is met.

JF

**Planning Department**

231 NE Fifth Street • McMinnville, OR 97128
 (503) 434-7311 Office • (503) 474-4955 Fax
www.mcminnvilleoregon.gov

Office Use Only:

File No. L-17-19
 Date Received 7/25/19
 Fee \$150.00
 Receipt No. 200978
 Received by JAF

Street Tree Removal

Applicant Information

Applicant is: ☒ Property Owner ☐ Contract Buyer ☐ Option Holder ☐ Agent ☐ Other _____

Applicant Name Robyn Shaw Phone 541-870-3371

Contact Name _____ Phone _____
 (If different than above)

Address 457 SW West Hills Dr.

City, State, Zip McMinnville, OR 97128

Contact Email shawtzi@aol.com

Property Owner Information

Property Owner Name Dame Phone _____
 (If different than above)

Contact Name _____ Phone _____

Address _____

City, State, Zip _____

Contact Email _____

Site Location and Description

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

Property Address 457 SW West Hills Dr., McMinnville
 (Property nearest to tree(s) for removal)

Assessor Map No. R4 419 - CA - 07236 Total Site Area 0.1377

Subdivision _____ Block _____ Lot _____

Comprehensive Plan Designation _____ Zoning Designation _____


Additional Information

1. How many trees are requested for removal? One
2. What type (species) of tree(s) are they? unk Maple?
3. What is the diameter of the tree(s), measured four feet above ground level? _____
4. Why are you requesting the removal of the noted tree(s)? (See "Removal Criteria" on attached Information Sheet.) Explain which of the criteria is addressed through this application.
The roots caused damage to the sidewalk and appear to be disturbing the water meter box.

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

- ☒ A site plan (drawn to scale, with a north arrow, legible, and of a reproducible size), showing the location of the tree(s) subject to the removal request, property lines, sidewalks, adjacent utilities (including overhead), north direction arrow, and adjacent streets.
- ☐ Arborist report, photographs, and/or other information which would help substantiate or clarify your request. The damage is clearly visible in the provided photos.

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

7/24/19
Date


Property Owner's Signature

7/24/19
Date



2
3 + 14
9



3
9 + 2
11



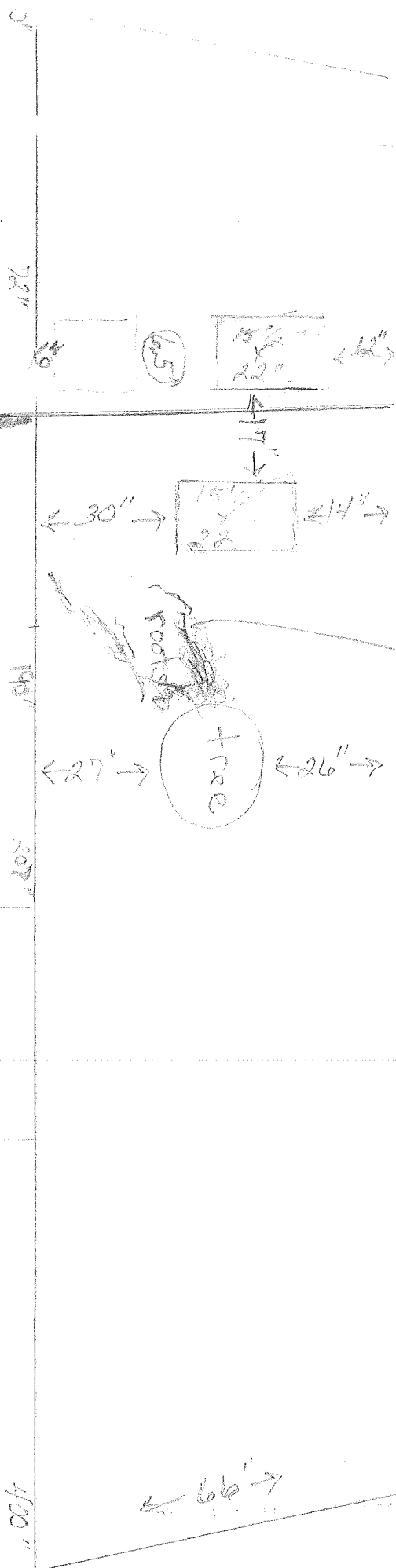
Property
line
marker



N
E + M
6

Kauer Dr.

Property
Line



E
S
+

S
D
1

circled



City of McMinnville
Planning Department
231 NE Fifth Street
McMinnville, OR 97128
(503) 434-7311
www.mcminnvilleoregon.gov

EXHIBIT 4 - STAFF REPORT

DATE: August 21, 2019
TO: Landscape Review Committee Members
FROM: Jamie Fleckenstein, Associate Planner
SUBJECT: Landscape Plan Review Application (L 14-19)

STRATEGIC PRIORITY & GOAL:



GROWTH & DEVELOPMENT CHARACTER

Guide growth & development strategically, responsively & responsibly to enhance our unique character.

OBJECTIVE/S: Strategically plan for short and long-term growth and development that will create enduring value for the community

Report in Brief:

An application for a landscape plan review (L 14-19) for the construction of a Food Truck Park in northeast McMinnville to be reviewed by the Landscape Review Committee.

Background:

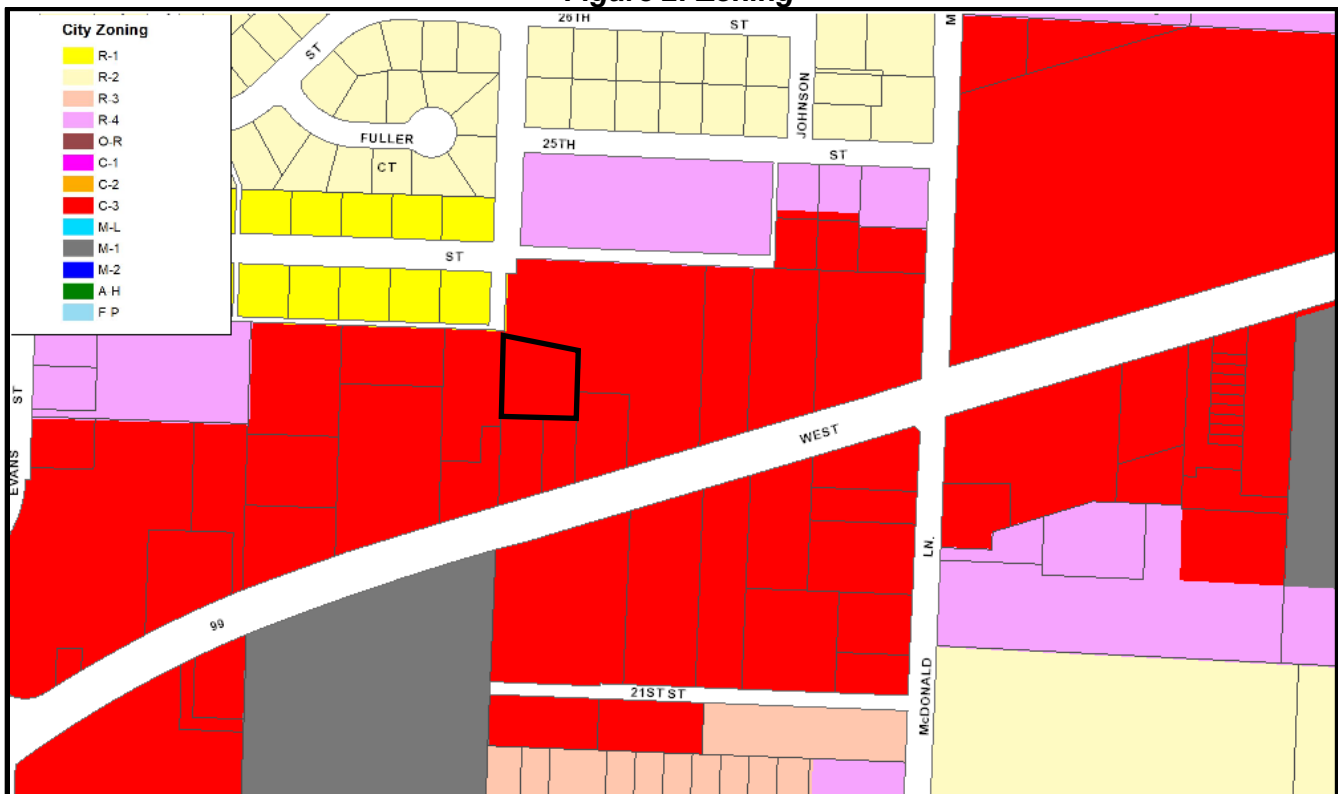
The applicant, Chris Veit, of Carlson Veit Architects, PC, on behalf of Ahmed Ebeid, MD, property owner, submitted a landscape plan associated with a building permit for the construction of a Food Truck Park at 839 NE Highway 99W. The subject property is more specifically described as Tax Lot 500, Section 16BD, T. 4. S., R. 4 W., W.M. The property is zoned C-3 (General Commercial). **See Figure 1 (Vicinity Map) and Figure 2 (Zoning Map).**

The subject site is located north of property that fronts Highway 99W, and is accessed from Highway 99W through an access easement. The subject site is currently vacant. The site is generally flat, though a drainage swale is located along the north property line. A cluster of large trees is centrally located on the subject site. South of the subject site are commercial properties fronting Highway 99W. Uses found on those parcels include medical office, a future laundromat, and associated off-street surface parking. West of the subject site is an undeveloped commercial lot, with low density residential development immediately north of that. North of the subject site is a large off-street surface parking lot for the large commercial development east of the subject site, with a residential mobile home park immediately north of that.

A building permit has been applied for to complete the buildout of the site by adding utilities and paving to accommodate 15 food trucks, off-street parking, and outdoor customer seating. **See Figure 3 (Site Plan).** The proposed landscape plan addresses required landscaping for commercial development per the McMinnville Zoning Ordinance. **See Figure 4 (Landscape Plan).**

Attachments:

Attachment A – Decision, Conditions, Findings of Fact and Conclusionary Findings for the Approval of a Landscape Plan at 839 NE Highway 99W (L 14-19)

Figure 1: Vicinity Map**Figure 2: Zoning****Attachments:**

Attachment A – Decision, Conditions, Findings of Fact and Conclusionary Findings for the Approval of a Landscape Plan at 839 NE Highway 99W (L 14-19)

Figure 3: Proposed Site Plan

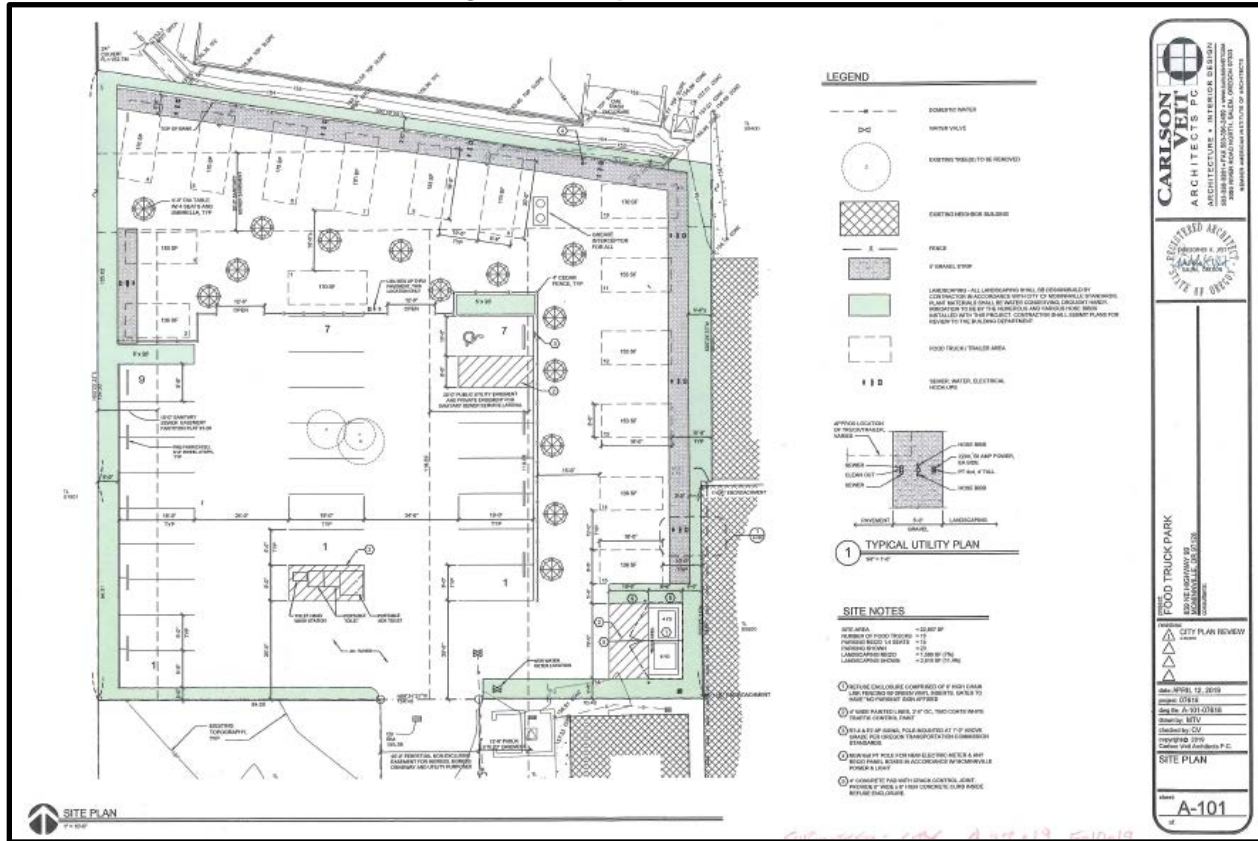
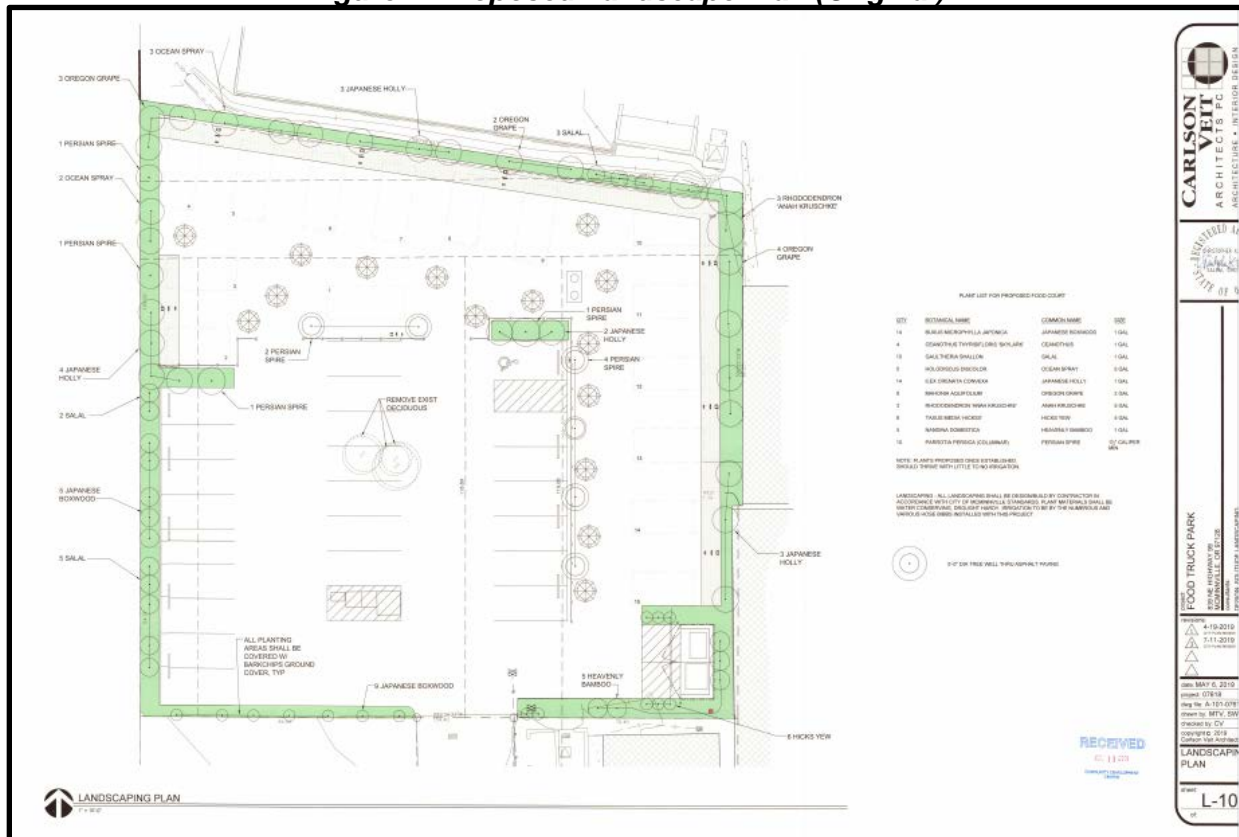


Figure 4: Proposed Landscape Plan (Original)

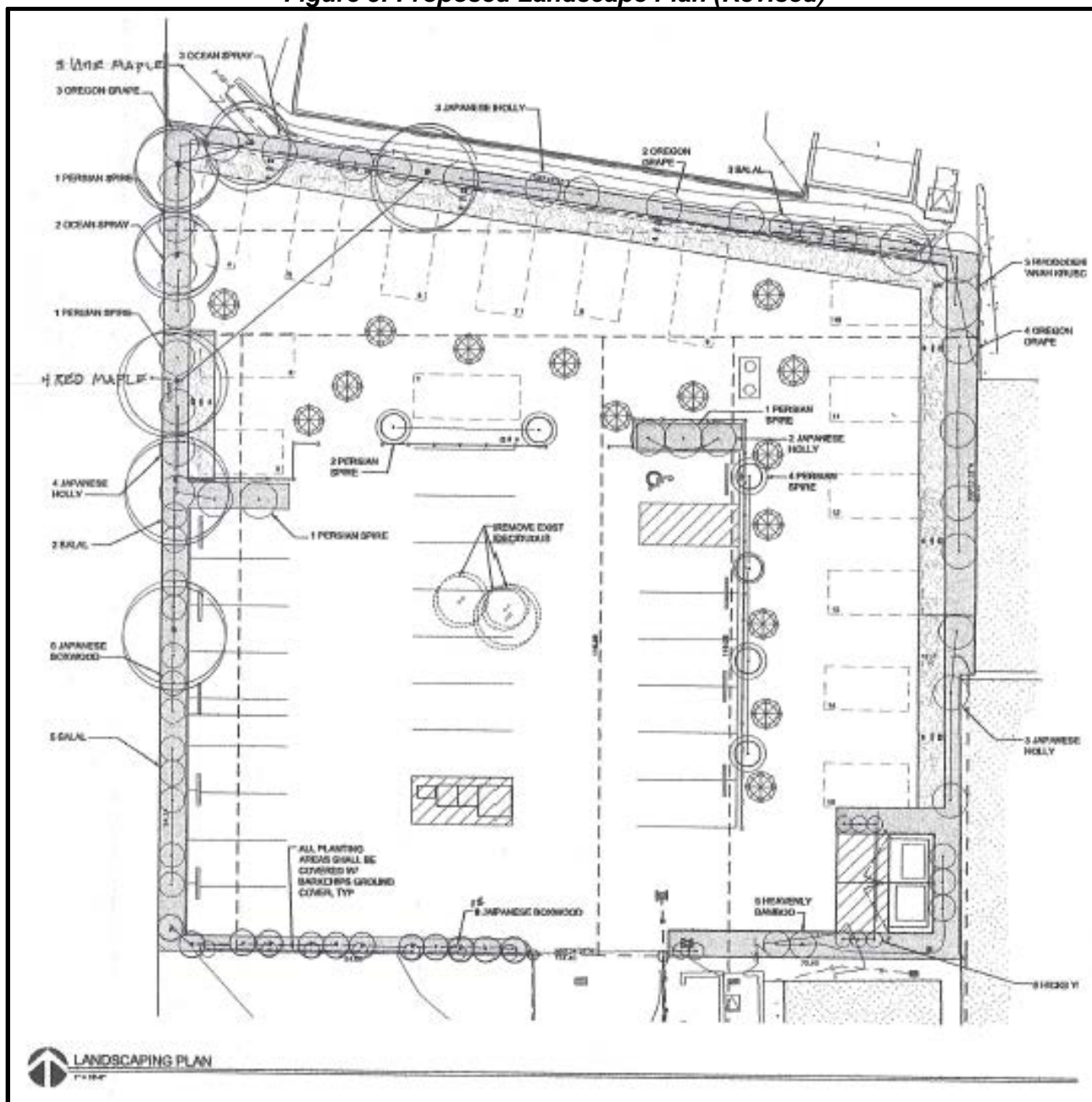


Attachments:

Attachment A – Decision, Conditions, Findings of Fact and Conclusionary Findings for the Approval of a Landscape Plan at 839 NE Highway 99W (L 14-19)

The original Landscape Plan (Figure 4) was presented to the Landscape Review Committee at their July 17, 2019 meeting. The committee did not find that the proposal sufficiently satisfied the development code and continued the application to allow the applicant the opportunity to revise the landscape plan to respond to the committee's comments. The applicant has submitted a revised landscape plan for the committee's consideration (**See Figure 5 – Proposed Landscape (Plan Revised)**).

Figure 5: Proposed Landscape Plan (Revised)



Attachments:

Attachment A – Decision, Conditions, Findings of Fact and Conclusionary Findings for the Approval of a Landscape Plan at 839 NE Highway 99W (L 14-19)

Discussion:***Summary of Criteria & Issues:***

Following the continuance of the application, staff provided the applicant a summary of the committee's discussion that included citations of the development code the committee found that the original landscape plan did not satisfy. Below are those specific discussion points and code citations, and the applicant's written response inside the text boxes:

The Landscape Review Committee (LRC) had some concerns with the proposed landscape plan, and did not believe that the proposed plan met the required landscape plan review factors. Specifically, the Committee found that the plan did not meet the factors in Section 17.57.070(B) of the McMinnville Zoning Ordinance listed below, followed by comments from the Committee:

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

- The LRC had concerns with the compatibility of some plant selections with the use and the site, including:
 - *Gaultheria shallon* (Salal) and *Mahonia aquifolium* (Oregon Grape) are native shrubs best suited for a more shady and wet location, and not compatible with this exposed site.

1. *Gaultheria shallon* and *Mahonia aquifolium*: Salal grows in the foothills of the Coast Range and in the Willamette valley. It will grow in full sun and once established will grow with very little water.

2. Oregon Grape: It has a deep tap root and grows in the Willamette valley in very dry soil in full sun in Yamhill and Polk counties. Once established it will grow with very little water.

- While the Committee recognized that the narrow spread of the columnar *Parrotia persica* (Persian Spire) trees accommodated food truck traffic, they were insufficient to meet other intents of the Landscaping chapter of the McMinnville Zoning Ordinance found in Section 17.57.010(A), including:

4. *Provide parking lot landscaping to reduce the harmful effects of heat, noise, and glare associated with motor vehicle use.*

8. *Provide shade, and seasonal color.*

3. The Persian Spire Tree: It is columnar or vase shaped and does provide some shade and abundant seasonal color.

- The LRC encouraged further consideration to be given to the placement, spacing, and density of all proposed plants to assure compatibility with the project and site, including:

Attachments:

Attachment A – Decision, Conditions, Findings of Fact and Conclusionary Findings for the Approval of a Landscape Plan at 839 NE Highway 99W (L 14-19)

- *Buxus microphylla japonica* (Japanese Boxwood) at 10 feet on center spacing in a three foot wide planting bed was neither compatible with creating a hedge (typical use for boxwood) or with adjacent parking spaces if left untrimmed.

4. The Japanese Boxwood: It is shown in a 3' wide plant bed and they are 5' o.c. not 10' o.c. as stated by the LRC. The plants could be trimmed to 3' o.c. They fit the space provided.

- *Taxus media 'Hicksii'* (Hicks Yew) at three feet on center spacing is not compatible with the growth habit of the plant.

5. Hicks Yew: It is an upright growing plant and advertised at 3' wide and 6' tall. It is compatible with the narrow plant bed.

DEC

- The number and spacing of plants along the north property line did not seem compatible with the adjacent parking lot use.

6. The north property line has a 10' wide planting area that will accommodate large shrubs. Ocean Spray, Japanese Holly, and Oregon Grape were used along the adjacent parking lot to provide some screening.

- Generally, the LRC found that the graphic portrayal of the plant material on the plan often did not sufficiently relate to growth characteristics of the plants and was not consistent throughout the plan, making the plan difficult to interpret. (i.e. two different representations of Japanese Boxwood on the plan, Rhododendron 'Anah Kruschke' is represented at 10 foot diameter which is much larger than the plant is generally known to grow).

7. Anah Kruschke Rhododendron: It is advertised to grow 5' tall and 5' wide, here in the valley it exceed 8' tall and 8' wide everywhere.

The graphic portrayal of plant material on the landscape plan is drawn to scale and shown at mature size. The Japanese Boxwood shown as different sizes on the plan came about through transfer and copying of the plan between the Landscape Architect and the Architect. It has been corrected.

The plan is easy to read and shows the landscaping and plant materials in the spaces provided.

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

Attachments:

Attachment A – Decision, Conditions, Findings of Fact and Conclusionary Findings for the Approval of a Landscape Plan at 839 NE Highway 99W (L 14-19)

- The LRC had concerns that proposed planting along the north property line did not sufficiently buffer the food trucks and customer seating areas from headlights and vehicle use of the adjacent parking lot.

As you can see the entire site is fairly small with small plant beds for plants. Plants were used at the ends of the isle ways. Plants were used where needed to screen, buffer and provide a pleasant experience for the visitor.

- The LRC encouraged the consideration of the regular placement of shade trees along the western property line to better screen the proposed use from the residential neighborhood to the northwest and potential future development of the vacant lot to the west, and provide shade to the parking lot.
- The LRC encouraged denser planting specifically in the northwest corner of the property to better screen the proposed use from the nearby residential neighborhood.

I have added trees to the north and west property lines to provide screening of the project from the neighborhood. The neighborhood is quite a distance away and is surrounded by its own trees. The trees should provide shade to the parking areas and provide fall color. With the addition of trees grouped with the existing plants, the landscaping should be dense enough to adequately screen the neighborhood.

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

- The LRC had concerns that the use of islands and plantings in the customer parking area was not sufficient, specifically:
 - No trees/tall planting were proposed for the south or west sides of the parking area, where the most benefit would be realized.
 - There are no proposed landscape islands to break up the center parking aisle.
 - Generally, more parking spaces are provided than are required, and there is opportunity to use some of that space to provide islands for shade trees to reduce the parking lot heat island effect and to provide shade to the adjacent customer seating area.

There is very little parking on-site and losing spaces to landscaping, in the middle of the parking area is not advisable. A mid island is one more obstacle to parking and turning vehicles.

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

- The LRC had concerns that establishment and future success of the proposed landscape via hand watering as proposed would be difficult on a site that has full sun exposure and

Attachments:

Attachment A – Decision, Conditions, Findings of Fact and Conclusionary Findings for the Approval of a Landscape Plan at 839 NE Highway 99W (L 14-19)

little proposed shade, and questioned if the proposed watering facilities were suitable to reach the entire site. An automatic irrigation system is recommended.

Staff Note: The applicant did not provide a response.

The primary change the applicant has made to the plan to address the concerns of the Landscape Review Committee is the addition of larger trees to the upper half of the northern property line. In the northwest corner, three (3) Vine Maples and one (1) Red Maple were included to address the committee's concern of screening and buffering the use from the nearby residential neighborhood. The addition of three (3) more Red Maples along the northern half of the west property line are intended to address concerns of the lack of parking lot trees and planting to provide shade. Staff is recommending a condition of approval to extend the planting of the Red Maples south to the southern property line, where larger shade trees would provide the most benefit in shading the customer parking lot.

Summary of Review Factors:

The subject site is zoned C-3 (General Commercial). The Landscaping chapter of the McMinnville Zoning Ordinance requires that at least seven (7) percent of the gross area of an commercial site being developed be landscaped (Section 17.57.070(A)(2) (Area Determination – Planning Factors)). The application indicates that landscaping in excess of the required seven percent is being provided.

In reviewing a landscape plan, MMC Section 17.57.050(B) (Area Determination – Planning Factors) 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 proposed project is the construction of a Food Court Park, including paved, designated food truck spaces, customer seating areas, and associated off-street parking. Landscaping is generally located in planting beds around the perimeter of the site and in planting islands and tree wells throughout the central paved area.

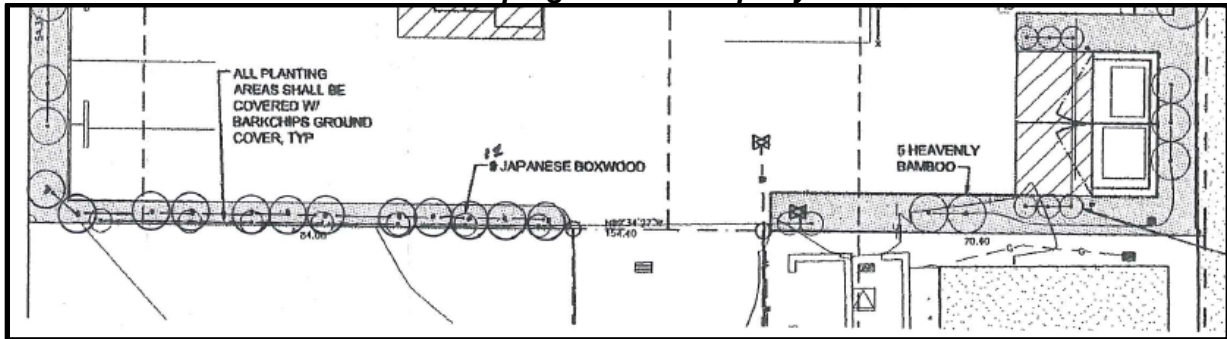
The abutting properties are all zoned for commercial use, and properties to the east, south, and north are developed with commercial uses. Beyond the abutting commercial properties to the north are residential neighborhoods. Existing landscaping on the abutting properties address screening and buffering of conflicting uses. The northwest corner of the subject site is visible from the surrounding residential neighborhood, and proposed landscaping on the subject site addresses this, as described further below.

Below is the plant material proposed for the project:

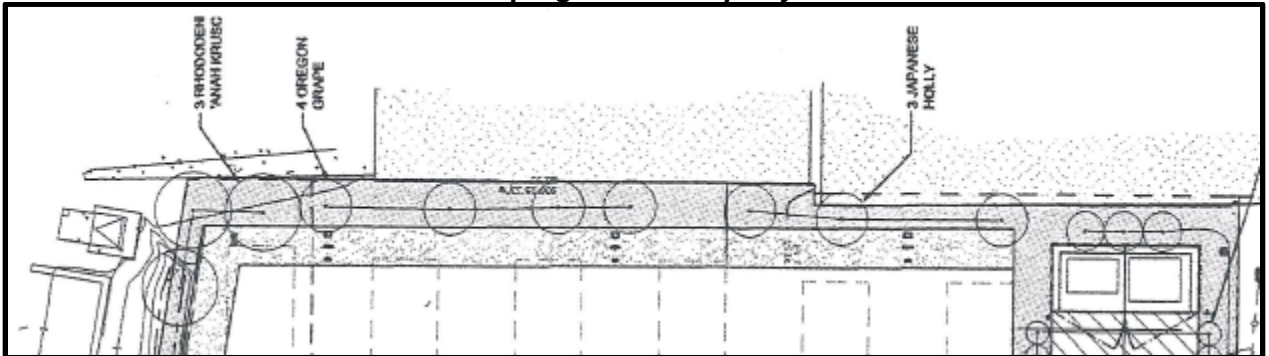
- Buxus microphylla japonica (Japanese Boxwood)
- Ceanothus thyrsifloris 'Skylark' (Skylark Ceanothus)
- Gaultheria shallon (Salal)
- Holodiscus discolor (Ocean Spray)
- Ilex crenata convexa (Japanese Holly)
- Mahonia aquifolia (Oregon Grape)
- Rhododendron 'Anah Kruschke' (Anah Kruschke Rhododendron)
- Taxus media 'Hicksii' (Hick's Yew)
- Nandina domestica (Heavenly Bamboo)
- Parrotia persica 'JLColumnar' (Persian Spire Parrotia)
- Acer circinatum (Vine Maple)
- Acer rubrum (Red Maple)

Attachments:

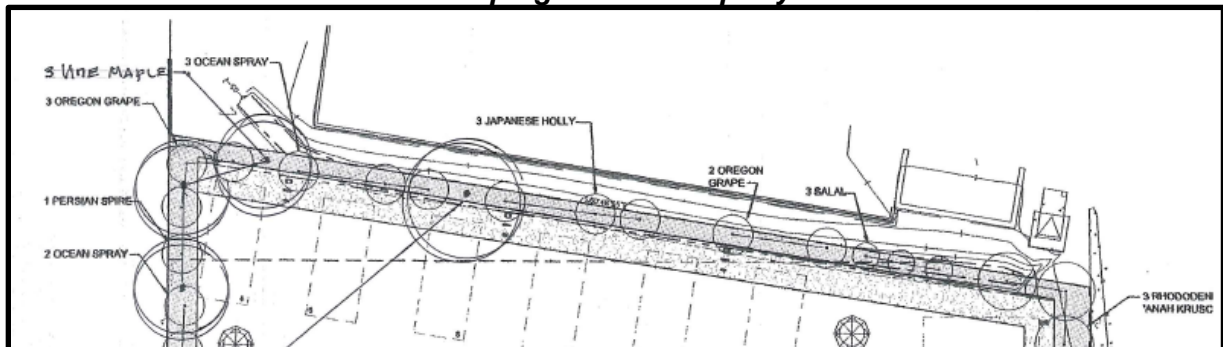
Attachment A – Decision, Conditions, Findings of Fact and Conclusionary Findings for the Approval of a Landscape Plan at 839 NE Highway 99W (L 14-19)

Landscaping – South Property Line

Landscaping along the south property line west of the driveway is located in a three (3) foot wide planting bed in front of an existing fence on the adjacent property. A row of 12 Japanese Boxwoods are proposed spaced at five (5) feet on center. East of the driveway and in front of the adjacent trash enclosure, additional Japanese Boxwoods are proposed. These are in the vicinity of a future water meter and backflow, and spacing standards will be required to be met. In the southeast corner of the site, adjacent to two blank walls of adjacent buildings, is the proposed trash enclosure for the subject site. Landscaping is provided around the enclosure – Hick's Yews on the sides, and Heavenly Bamboo between the enclosure and the adjacent building. Hick's Yews grow up to 12 feet in height and 4 feet wide, and Heavenly Bamboo grows to approximately six (6) feet high and wide. Both are evergreen shrubs and would provide screening and buffering of the trash enclosure.

Landscaping – East Property Line

Along the east property line, plantings of Oregon Grape and Japanese Holly are proposed in front of the adjacent commercial buildings. Both are evergreen shrubs that can reach up to six (6) feet tall and wide. Oregon Grape is a Pacific Northwest native. In the northeast corner, a group of Anah Kruschke Rhododendrons is proposed. Anah Kruschke Rhododendron also grows to approximately six (6) feet tall and wide.

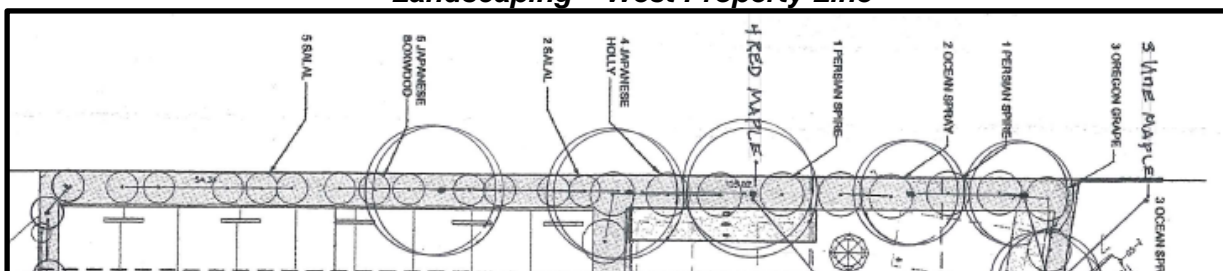
Landscaping – North Property Line***Attachments:***

Attachment A – Decision, Conditions, Findings of Fact and Conclusionary Findings for the Approval of a Landscape Plan at 839 NE Highway 99W (L 14-19)

Plants along the north property line, located between the food truck spaces and the adjacent parking lot to the north, are a combination of Oregon Grape, Japanese Holly, Salal, and Ocean Spray. A Red Maple tree is also located in this area. Plants are spaced to provide groupings of shrubs, not a continuous border. This is generally compatible with the proposed use on the site and the uses on adjacent sites. The space between plant groupings would allow customers to walk from adjacent commercial uses or parking to the food truck park. The porous nature of a large food truck pod such as that proposed is supported by the perimeter planting.

In the northwest corner of the property, Vine Maples, Oregon Grape, and Ocean Spray provide additional screening and buffering of the property from the nearby residential neighborhoods.

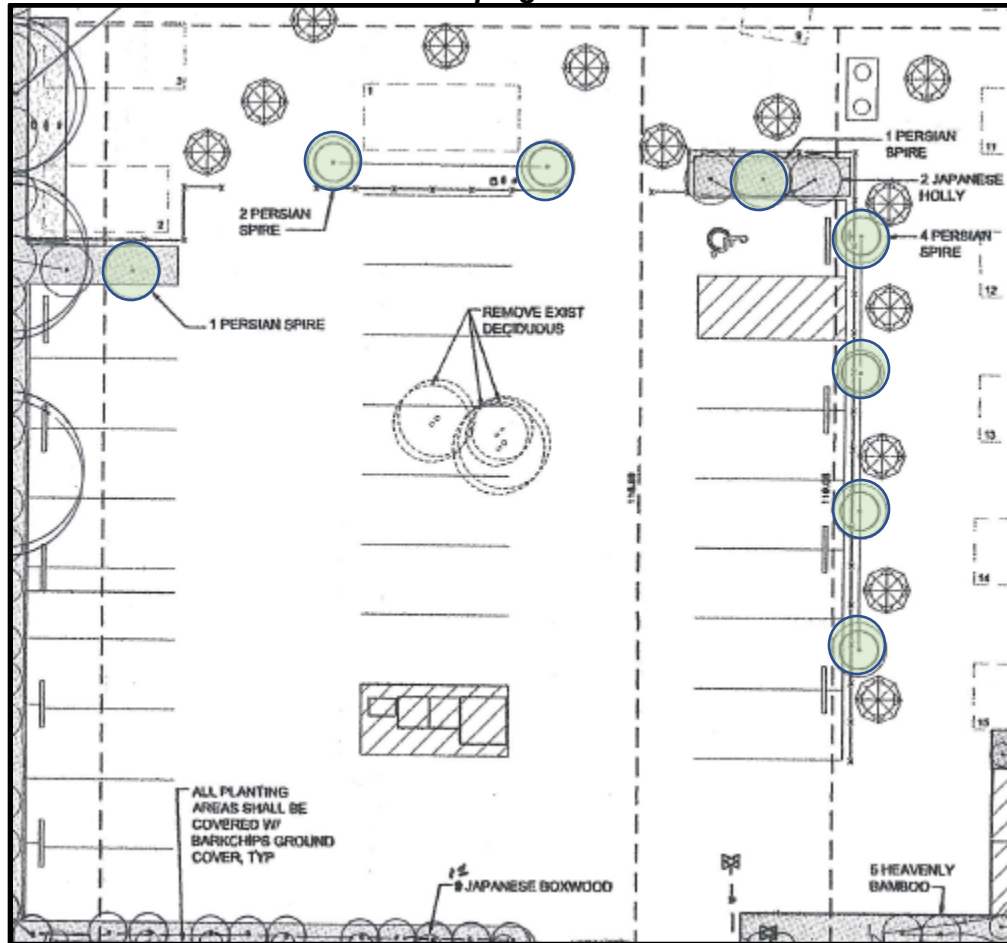
Landscaping – West Property Line



Proposed planting along the western property line features trees (Vine Maples, Persian Spire Parrotias, and Red Maples) and shrubs (Japanese Boxwood, Salal, Japanese Holly, and Ocean Spray). Salal is a native evergreen shrubs that remains low (up to two (2) feet) in full sun. Red Maples are shade trees that grow to 40 feet tall and wide, depending on the specific variety. The Red Maples are shown at approximately 20 to 25 feet on center. Also along the west property line are two (2) Persian Spire trees. These deciduous, columnar trees grow up to 25 feet tall by 10 feet wide, and with strong fall color. However, they are located immediately adjacent to the northernmost Red Maple and the southernmost Vine Maple. The growth characteristics of these trees are incompatible in immediate adjacency. A condition of approval has been included to remove the Persian Spire trees from the western property line in favor of the broader canopy maple trees to allow the canopy trees opportunity to thrive. Also in the condition is the provision of the red maple trees at regular spacing to the southern property line to provide shade to the parking lot, as described in more detail below.

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Attachment A – Decision, Conditions, Findings of Fact and Conclusionary Findings for the Approval of a Landscape Plan at 839 NE Highway 99W (L 14-19)

Landscaping – Interior

Eight (8) small, columnar Persian Spire Parrotia trees are proposed around the perimeter of the parking area in planting islands and tree wells, between the parking and the actual Food Truck Park. Because these trees are found on the perimeter of the food truck court where trucks would be driving, the columnar shape of the trees is compatible with their location and use. The compact form of the tree will help avoid damage from food trucks passing by. The trees will also help provide a delineation between the parking area and seating area, and will help shade the customer seating.

Staff finds that with the included condition, the proposed landscaping is compatible with the proposed development and that the subject site will be compatible with surrounding and abutting properties.

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

In the Purpose and Intent statement at the beginning of the Landscape Chapter of the McMinnville Municipal Code Section 17.57.010, it is stated that “[...] the City recognizes the value of landscaping in the achieving the following objectives:

- A. Provide guidelines and standards that will:

7. Provide visual screens and buffers that mitigate the impact of conflicting land uses to preserve the appearance, character, and value of existing neighborhoods.”

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The subject site is zoned C-3 (General Commercial). All surrounding and adjacent sites are also zoned C-3 (General Commercial). Therefore, there is no conflicting land use between the subject site and adjacent sites that would require special screening or buffering of the subject site and the use located thereon.

Northwest of the subject site is a residential neighborhood and an undeveloped public right-of-way. From that neighborhood along NE 24th Street, there are intermittent views into the northwest corner of the subject site from undeveloped right-of-way. The proposed landscaping in the northwest corner of the site would provide screening and buffering between the different land uses. The plant material found in the planting area around the perimeter of the northwest corner are a combination of *Acer circinatum* (Vine Maple), a deciduous tree growing approximately 20 feet high and wide, *Parrotia persica* 'JLColumnar' (Persian Spire Parrotia), a deciduous tree growing to 25 feet in height by 10 feet wide, *Holodiscus discolor* (Ocean Spray), a deciduous native shrub that tends to stay compact in dry sunny areas but can reach over 10 feet in height, and *Mahonia aquifolium* (Oregon Grape), a native evergreen shrub growing up to six (6) feet tall and not as wide. The combination of varying heights and evergreen and deciduous plant material would provide screening and buffering of the site from the residential neighborhood to the northwest.

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.*

Centrally located on the site is a cluster of large *Populus balsamifera trichocarpa* (Black Cottonwood) trees that are proposed for removal. Black Cottonwood trees are native to the West Coast of the United States and can grow to up to 100 feet tall and 30 feet wide. Black Cottonwood trees are known to exhibit aggressive surface roots that will sucker is disturbed. Cottonwoods are prone to limb breakage due to weak wood and branch connections. Additionally, the cottony seeds released by female trees in the spring can become a nuisance.

The site plan indicates that the existing trees are located where the parking lot for the food truck court is proposed. Because of the high potential for root damage to adjacent pavement and nearby underground utilities, and the risk of limbs dropping on people and property, retention of the existing Black Cottonwood trees would not be appropriate to retain for the proposed use.

The site is essentially flat and the existing grade will be generally maintained.

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

The proposed project features three aisles of parking spaces. The westernmost aisle of 9 spaces is capped at each end by a planting area. At the north end, a planting island is proposed with a *Parrotia persica* 'JLColumnar' (Persian Spire) tree, and *Ilex crenata* 'Convexa' (Japanese Holly). The Persian Spire is a deciduous, columnar tree reaching 25 feet in height and approximately 10 feet in width. Japanese Holly is an evergreen shrub growing to approximately six (6) feet in height and width. The southern edge of the parking area is a planting strip with *Buxus microphylla japonica* (Japanese Boxwood). Japanese Boxwood is an evergreen shrub growing to approximately four (4) to six (6) feet in height. The middle parking aisle has two Persian Spire trees in tree wells at the north end. The easternmost parking aisle of seven parking stalls has a planting island with two Japanese Holly plants and one Persian Spire tree. Additionally, on the eastern edge of the parking area, between the designated parking stalls and the pedestrian seating area are four (4) Persian Spire trees in tree wells. Planting islands and plantings, including evergreen shrubs and deciduous trees, have been incorporated into the landscape design to break up parking areas.

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Attachment A – Decision, Conditions, Findings of Fact and Conclusionary Findings for the Approval of a Landscape Plan at 839 NE Highway 99W (L 14-19)

However, stated purpose and intents of the Landscaping Chapter of the McMinnville Zoning Ordinance is to “*Provide parking lot landscaping to reduce the harmful effects of heat, noise, and glare associated with motor vehicle use,*” and to “*Provide shade, and seasonal color.*” While the Persian Spire Parrotias display intense fall colors during the autumn, their columnar form provides minimal shade. The location of the trees along the north and east edges of the customer parking means that their shade will be cast toward the food truck stalls and customer seating areas, leaving the parking lot generally unshaded. One Red Maple shade tree is located on the western edge of the parking lot and would provide shade to a corner of the parking area. The planting area on the southern edge of the parking lot is only three (3) feet wide, which is generally not wide enough to support a tree. Therefore, a condition of approval has been included requiring the provision of shade trees (Red Maples) at regular spacing along the length of the western property line, from the south property line to approximately food truck stall #3. This condition will maximize the amount of shade provided to the parking lot given the planting areas available.

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.*

The subject site is not adjacent to a public right-of-way, therefore street trees are not required.

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

The proposed landscape plan indicates that all plant material is to be watered via hose bibs located throughout the project. One hose bib per food truck stall (15 total) is proposed, mainly along the north and east property lines. No hose bibs are proposed along the southern property line, or adjacent to the parking lot along the west property line. The closest hose bibs to the southwestern corner of the site and the landscaping proposed in that area are approximately 100 feet away. Staff finds that the provision of hose bibs throughout the site satisfies the requirement for suitable watering facilities.

Fiscal Impact:

None.

Landscape Review Committee Options:

- 1) **APPROVE** the application, per the decision document provided which includes the findings of fact and conditions of approval.
- 2) **APPROVE** the application with additional conditions of approval, providing findings of fact for the inclusion of additional conditions.
- 3) **CONTINUE** the application, requesting the applicant to submit more information or details for review.
- 4) **DENY** the application, providing findings of fact for the denial in the motion to deny.

Staff Recommendation:

Attachments:

Attachment A – Decision, Conditions, Findings of Fact and Conclusionary Findings for the Approval of a Landscape Plan at 839 NE Highway 99W (L 14-19)

Staff has reviewed the application for consistency with the applicable criteria. Staff finds that, subject to the recommended conditions specified in the attached Decision Document, the application submitted by the applicant contains sufficient evidence to find the applicable criteria are satisfied.

Staff **RECOMMENDS APPROVAL** of the application, subject to the conditions specified in the attached Decision Document.

Suggested Motion:

THAT BASED ON THE FINDINGS OF FACT, THE CONCLUSIONARY FINDINGS FOR APPROVAL, AND THE MATERIALS SUBMITTED BY THE APPLICANT, I MOVE THAT THE LANDSCAPE REVIEW COMMITTEE APPROVE THE DECISION DOCUMENT AND APPROVE THE LANDSCAPE PLAN REVIEW APPLICATION L 14-19 SUBJECT TO THE CONDITIONS SPECIFIED IN THE DECISION DOCUMENT.

JF



**CITY OF MCMINNVILLE
PLANNING DEPARTMENT**
231 NE FIFTH STREET
MCMINNVILLE, OR 97128

503-434-7311
www.mcminnvilleoregon.gov

**DECISION, CONDITIONS, FINDINGS OF FACT AND CONCLUSIONARY FINDINGS FOR THE
APPROVAL OF A LANDSCAPE PLAN AT 839 NE HIGHWAY 99W**

DOCKET: L 14-19 (Landscape Plan)

REQUEST: Approval of a Landscape Plan for a Food Truck Park

LOCATION: 839 NE Highway 99W (Tax Lot 500, Section 16BD, T. 4. S., R. 4 W., W.M.)

ZONING: C-3 (General Commercial)

APPLICANT: Chris Veit, Carlson Veit Architects, PC, on behalf of Ahmed Ebeid, MD, property owner

STAFF: Jamie Fleckenstein, PLA, Associate Planner

**DATE DEEMED
COMPLETE:** June 21, 2019

**HEARINGS BODY
& ACTION:** McMinnville Landscape Review Committee makes a recommendation of approval or denial to the Planning Director.

**HEARING DATE
& LOCATION:** July 17, 2019, Community Development Center, 231 NE 5th Street, McMinnville, Oregon, continued to August 21, 2019, Community Development Center, 231 NE 5th Street, McMinnville, Oregon

PROCEDURE: Landscape plans are required to be reviewed and approved by the Landscape Review Committee as described in Section 17.57.050 (Plans-Submittal and review-Approval-Time limit for completion) of the McMinnville Zoning Ordinance.

CRITERIA: The applicable criteria are specified in Section 17.57.070 (Area Determination – Planning factors) of the McMinnville Zoning Ordinance, McMinnville City Code.

APPEAL: The decision may be appealed within 15 days of the date the decision is mailed as specified in Section 17.57.170 of the McMinnville Zoning Ordinance.

COMMENTS: This matter was referred to the following public agencies for comment: McMinnville Public Works Department and McMinnville Water and Light. Their comments are provided in this document. No public notice of the application was required by the McMinnville Zoning Ordinance. No additional comments were received by the Planning Department.

DECISION

Based on the findings and conclusionary findings, the Landscape Review Committee finds the applicable criteria are satisfied with conditions and recommends **APPROVAL** of the Landscape Plan (L 14-19) **subject to the conditions of approval provided in this document.**

DECISION: APPROVAL WITH CONDITIONS

Planning Staff: _____
 Jamie Fleckenstein, Associate Planner

Date: August 21, 2019

Planning Department: _____
Heather Richards, Planning Director

Date: August 21, 2019

I. APPLICATION SUMMARY:

Subject Property & Request

The application requests approval of a landscape plan (L 14-19) for a proposed Food Truck Park in northeast McMinnville.

The applicant, Chris Veit, of Carlson Veit Architects, PC, on behalf of Ahmed Ebeid, MD, property owner, submitted a landscape plan associated with a building permit for the construction of a Food Truck Park at 839 NE Highway 99W. The subject property is more specifically described as Tax Lot 500, Section 16BD, T. 4. S., R. 4 W., W.M. The property is zoned C-3 (General Commercial). **See Figure 1 (Vicinity Map) and Figure 2 (Zoning Map).**

The subject site is located north of property that fronts Highway 99W, and is accessed from Highway 99W through an access easement. The subject site is currently is currently vacant. The site is generally flat, though a drainage swale is located along the north property line. A cluster of large trees is centrally located on the subject site. South of the subject site are commercial properties fronting Highway 99W. Uses found on those parcels include medical office, a future laundromat, and associated off-street surface parking. West of the subject site is an undeveloped commercial lot, with low density residential development immediately north of that. North of the subject site is a large off-street surface parking lot for the large commercial development east of the subject site, with a residential mobile home park immediately north of that.

A building permit has been applied for to complete the buildout of the site by adding utilities and paving to accommodate 15 food trucks, off-street parking, and outdoor customer seating. **See Figure 3 (Site Plan).** The proposed landscape plan addresses required landscaping for commercial development per the McMinnville Zoning Ordinance. **See Figure 4 (Landscape Plan).**

Attachments:

Attachment 1 – Application for Landscape Plan Review (L 14-19)

Figure 1: Vicinity Map

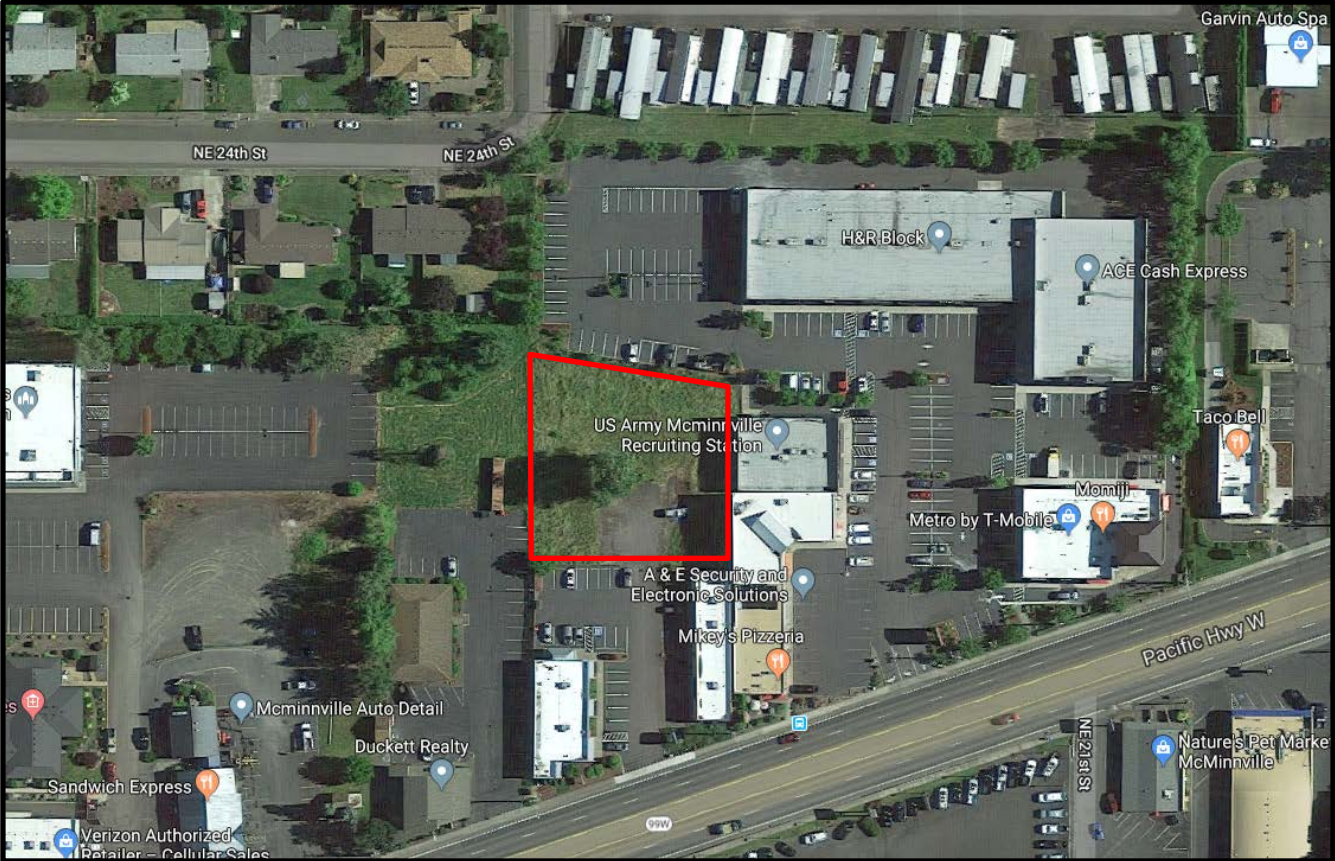


Figure 2: Zoning

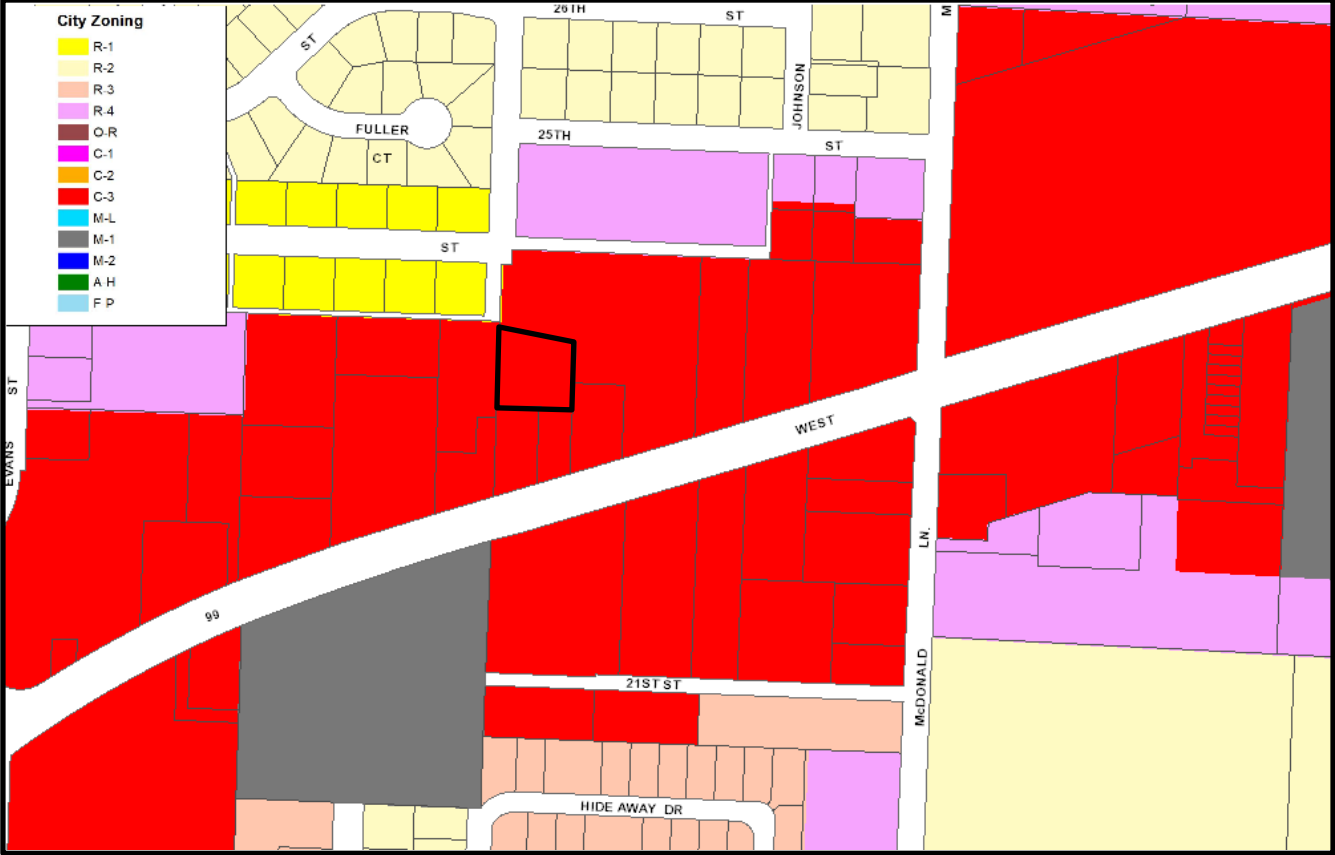


Figure 3: Proposed Site Plan

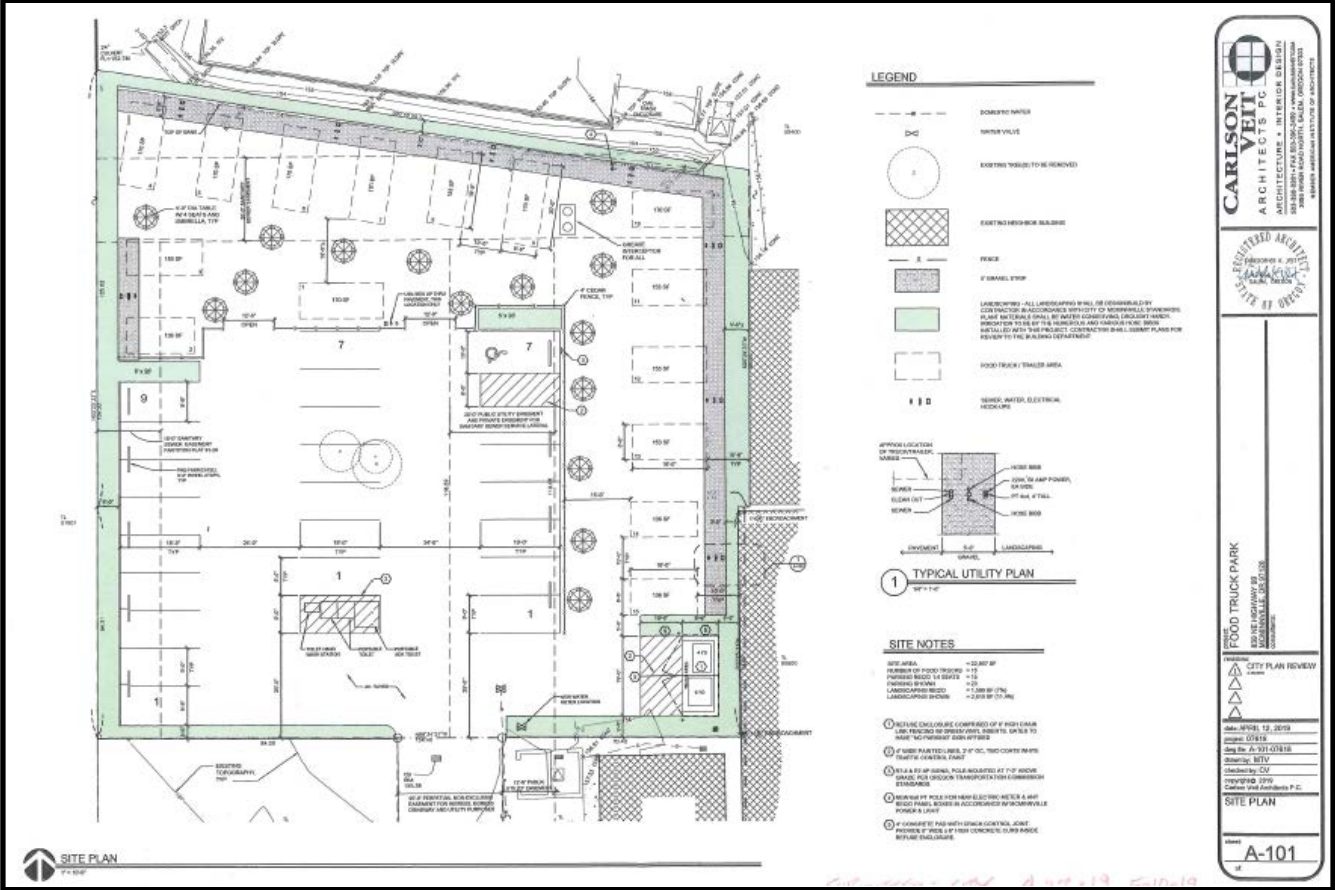
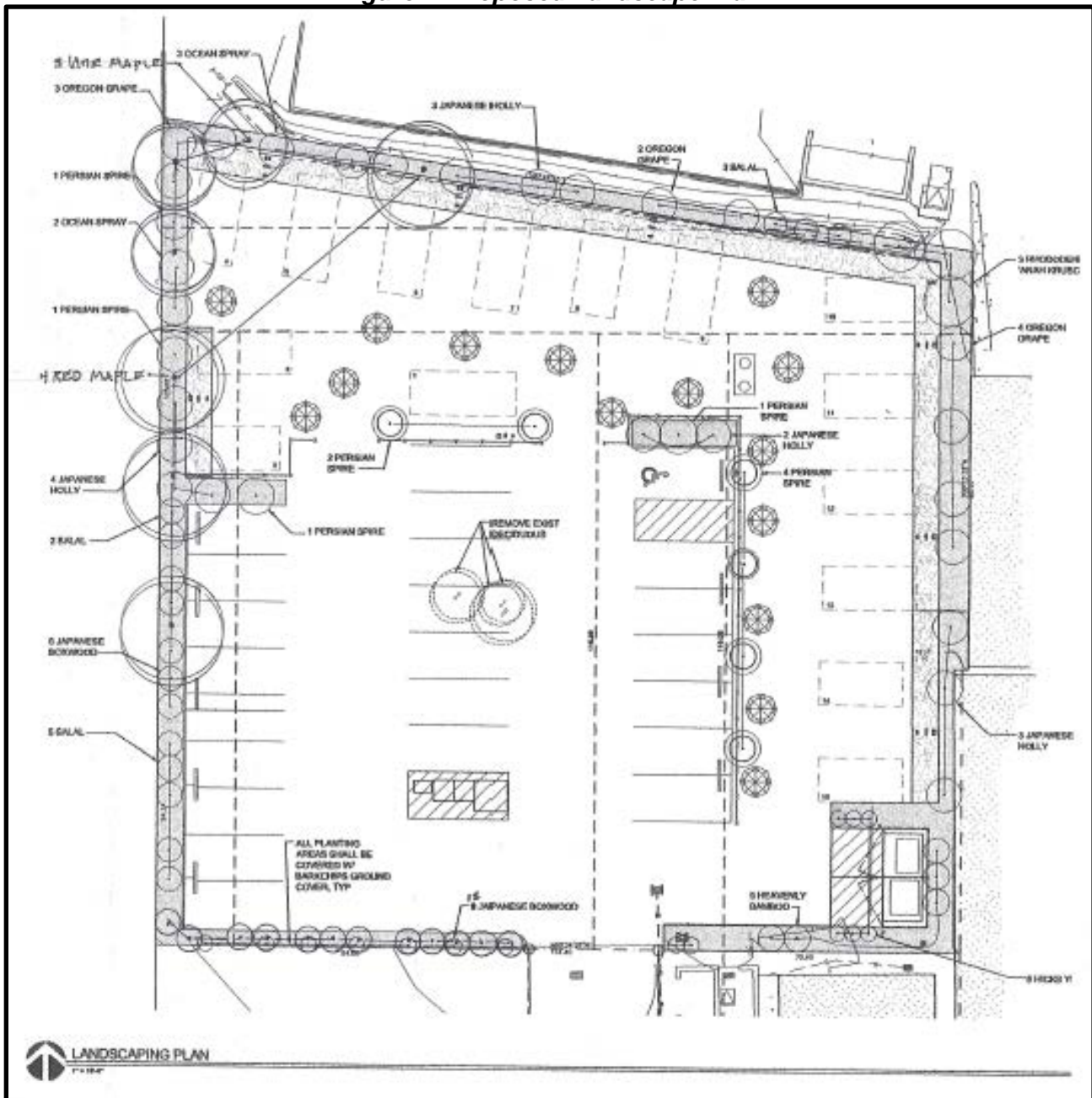


Figure 4: Proposed Landscape Plan**Summary of Criteria & Issues**

The subject site is zoned C-3 (General Commercial). The Landscaping chapter of the McMinnville Zoning Ordinance requires that at least seven (7) percent of the gross area of an commercial site being developed be landscaped (Section 17.57.070(A)(2) (Area Determination – Planning Factors)). The application indicates that landscaping in excess of the required seven percent is being provided.

II. CONDITIONS:

1. That the applicant shall submit a revised landscape plan to the McMinnville Planning Department for review and approval that reflects conditions of approval.
2. That the applicant shall maintain proper clearances around the existing and future water and electrical services that will be located on the site. Landscaping shall not be placed within four

Attachments:

Attachment 1 – Application for Landscape Plan Review (L 14-19)

(4) feet of fire hydrants, within four (4) feet of water valves, within four (4) feet of vaults, within three (3) feet of the back or side of a transformer, or within one (1) foot of water meters. Minor adjustments in plant placement from the locations shown on the approved landscape plan are allowed if relocation is necessary to meet minimum clearances.

3. That a non-columnar *Acer rubrum* (Red Maple) variety such as 'Franksred' (Red Sunset) or 'Frank Jr.' (Redpointe) be planted at 25 feet on center along the western property line, from the southern property line to approximately food truck space #3 (as indicated on the landscape plan). *Parrotia persica* 'JLColumnare' (Persian Spire Parrotia) shall not be planted along the western property line.
4. 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.

III. ATTACHMENTS:

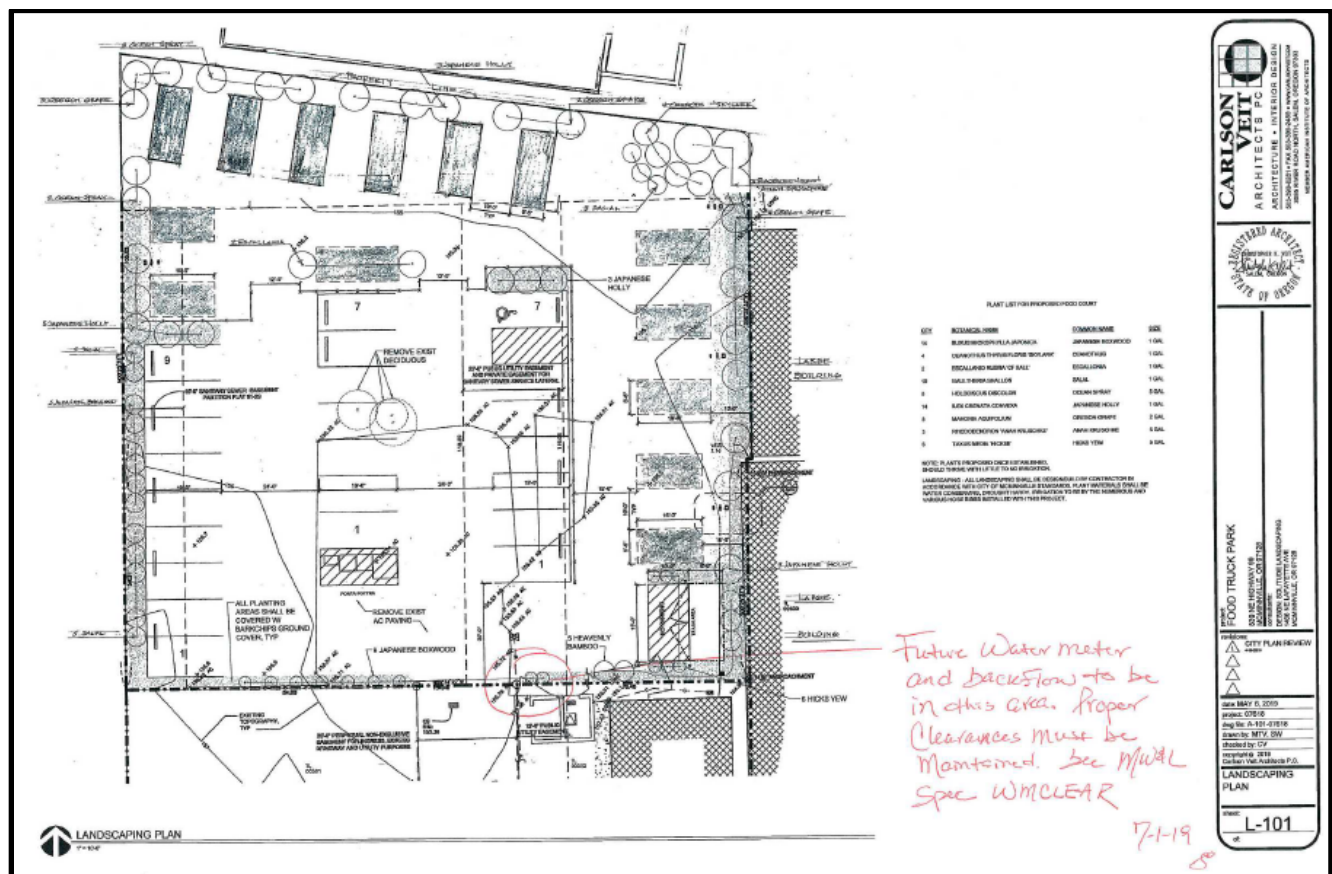
1. L 14-19 Application and Attachments (on file with the Planning Department)

IV. COMMENTS:

Agency Comments

This matter was referred to the following public agencies for comment: McMinnville Public Works Department and McMinnville Water and Light. The following comments regarding the proposed landscaping have been received.

- McMinnville Water & Light



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Public Comments

No public notice of the application was provided by the City of McMinnville, as Landscape Plan Review applications are reviewed by the process described in Section 17.57.050 of the McMinnville Zoning Ordinance, which does not require public notification. No public comments were received prior to the Planning Director's decision.

V. FINDINGS OF FACT - PROCEDURAL FINDINGS

1. Chris Veit, Carlson Veit Architects, PC, on behalf of Ahmed Ebeid, MD, property owner, submitted a landscape plan review application on May 10, 2019.
2. The application was deemed complete on June 21, 2019. A revised landscape plan was submitted on July 11, 2019.
3. Notice of the application was referred to the following public agencies for comment: McMinnville Public Works Department and McMinnville Water and Light. Comments received from public agencies are addressed in the Decision Document.
4. No public notice of the application was provided by the City of McMinnville, as Landscape Plan Review applications are reviewed by the process described in Section 17.57.050 of the McMinnville Zoning Ordinance, which does not require public notification. No public comments were received prior to the public meeting.
5. A public meeting was held by the Landscape Review Committee on July 17, 2019 to review the application and proposed landscape plan. The Landscape Review Committee continued the application.
6. A revised landscape plan was submitted on August 9, 2019.
7. A public meeting was held by the Landscape Review Committee on August 21, 2019 to review the application and proposed landscape plan.

VI. FINDINGS OF FACT - GENERAL FINDINGS

1. **Location:** 839 NE Highway 99W (Tax Lot 500, Section 16BD, T. 4. S., R. 4 W., W.M.)
2. **Size:** 22,857 square feet (approximately 0.53 acres)
3. **Comprehensive Plan Map Designation:** Commercial
4. **Zoning:** C-3 (General Commercial)
5. **Overlay Zones/Special Districts:** None
6. **Current Use:** Vacant
7. **Inventoried Significant Resources:**
 - a. **Historic Resources:** None
 - b. **Other:** None identified
8. **Other Features:** The site is generally flat, with a cluster of deciduous trees centrally located on the site.

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9. Utilities:

- a. **Water:** The property is served by water. The treatment plant has sufficient treatment capacity.
- b. **Sewer:** The property is served by sewer. The municipal water reclamation facility has sufficient capacity to accommodate expected waste flows resulting from the use.
- c. **Stormwater:** Storm water is conveyed to a catch basin and storm drain in an access and utility easement south of the site.
- d. **Other Services:** Overhead utilities are not present.

- 10. **Transportation:** The site is served by an access and utility easement through the adjacent property to the south. The easement is accessed from Highway 99W, which is classified as a major arterial in McMinnville's 2010 Transportation System Plan.

VII. CONCLUSIONARY FINDINGS:

The Conclusionary Findings are the findings regarding consistency with the applicable criteria for the application. The applicable criteria for a Landscape Plan Review are specified in Section 17.57.070 of the Zoning Ordinance.

In addition, the goals, policies, and proposals in Volume II of the Comprehensive Plan are to be applied to all land use decisions as criteria for approval, denial, or modification of the proposed request. Goals and policies are mandated; all land use decisions must conform to the applicable goals and policies of Volume II. "Proposals" specified in Volume II are not mandated, but are to be undertaken in relation to all applicable land use requests.

Comprehensive Plan Volume II:

The following Goals, Policies, and Proposals from Volume II of the Comprehensive Plan provide criteria applicable to this request:

The implementation of most goals, policies, and proposals as they apply to this application are accomplished through the provisions, procedures, and standards in the city codes and master plans, which are sufficient to adequately address applicable goals, policies, and proposals as they apply to this application.

The following additional findings are made relating to specific Goals and Policies:

GOAL IV 3: TO ENSURE COMMERCIAL DEVELOPMENT THAT MAXIMIZES EFFICIENCY OF LAND USE THROUGH UTILIZATION OF EXISTING COMMERCIALLY DESIGNATED LANDS, THROUGH APPROPRIATELY LOCATING FUTURE COMMERCIAL LANDS, AND DISCOURAGING STRIP DEVELOPMENT.

Policy 32.00: Where necessary, landscaping and/or other visual and sound barriers shall be required to screen commercial activities from residential areas.

APPLICANT'S RESPONSE: The applicant did not provide a written response specific to this Goal and Policy in the application.

FINDING: SATISFIED. The Comprehensive Plan states that commercial development shall be located appropriately to be compatible with surrounding uses. Landscaping is a standard that is listed in the Comprehensive Plan as one way to mitigate the effects of commercial development from residential areas. Landscaping is proposed to be installed with this commercial development, which will provide for additional screening of the proposed use resulting in the proposed commercial development being more compatible with nearby residential properties.

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GOAL X 1: TO PROVIDE OPPORTUNITIES FOR CITIZEN INVOLVEMENT IN THE LAND USE DECISION MAKING PROCESS ESTABLISHED BY THE CITY OF McMinnville.

Policy 188.00: The City of McMinnville shall continue to provide opportunities for citizen involvement in all phases of the planning process. The opportunities will allow for review and comment by community residents and will be supplemented by the availability of information on planning requests and the provision of feedback mechanisms to evaluate decisions and keep citizens informed.

APPLICANT'S RESPONSE: The applicant did not provide a written response specific to this Goal and Policy in the application.

FINDING: SATISFIED. McMinnville continues to provide opportunities for the public to review and obtain copies of the application materials and completed staff report prior to the McMinnville Landscape Review Committee review of the request and recommendation at an advertised public meeting. All members of the public have access to provide testimony and ask questions during the public review and hearing process.

McMinnville Zoning Ordinance

The following Sections of the McMinnville Zoning Ordinance (Ord. No. 3380) provide criteria applicable to the request:

17.57.010 Purpose and intent. 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. Provide guidelines and standards that will:
 1. Reduce soil erosion and the volume and rate of discharge of storm water runoff.
 2. Aid in energy conservation by shading structures from energy losses caused by weather and wind.
 3. Mitigate the loss of natural resources.
 4. Provide parking lot landscaping to reduce the harmful effects of heat, noise and glare associated with motor vehicle use.
 5. Create safe, attractively landscaped areas adjacent to public streets.
 6. Require the planting of street trees along the City's rights-of-way.
 7. Provide visual screens and buffers that mitigate the impact of conflicting land uses to preserve the appearance, character and value of existing neighborhoods.
 8. Provide shade, and seasonal color.
 9. Reduce glare, noise and heat.
- B. Promote compatibility between land uses by reducing the visual noise and lighting impacts of specific developments on users of the site and abutting properties.
- C. Unify development and enhance and define public and private places.
- D. Preserve existing mature trees.
- E. Enhance the urban forest and tree canopy.
- F. Encourage the use of plants native to the Willamette Valley to the maximum extent feasible, in order to reduce watering requirements and agricultural chemical applications, and to provide a sense of regional identity with plant communities unique to the area.
- G. Establish and enhance a pleasant visual character and structure to the built environment that is sensitive to safety and aesthetic issues.
- H. Support McMinnville as a community that cares about its appearance.

APPLICANT'S RESPONSE: The applicant did not provide a written response in the application.

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Attachment 1 – Application for Landscape Plan Review (L 14-19)

FINDING: SATISFIED. The landscape plan as proposed would enhance the appearance of the city and will benefit the economic, ecological, and aesthetic environment of the city. The landscape plan as proposed meets the intent and purpose of the Landscaping chapter, as described in the findings for the specific landscape plan review criteria below.

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

D. C-3 (General Commercial zone);

APPLICANT'S RESPONSE: The applicant did not provide a written response in the application.

FINDING: SATISFIED. The subject site is zoned C-3 (General Commercial), and landscaping is being proposed, as required.

17.57.070 Area Determination – Planning Factors.

17.57.070(A). Landscaping shall be accomplished within the following ranges:

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.)

APPLICANT'S RESPONSE: The application material indicated that the Total Landscaped Area is 2,610 square feet and the Percent Landscaped is 11.4%.

FINDING: SATISFIED. The proposed 2,610 square feet of landscaped area exceeds the required minimum of 7 percent landscaped area.

17.57.070(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:

17.57.070(B)(1). *Compatibility with the proposed project and the surrounding and abutting properties and the uses occurring thereon.*

APPLICANT'S RESPONSE: The applicant did not provide a written response in the application.

FINDING: SATISFIED WITH CONDITIONS #2, #3. The proposed project is the construction of a Food Court Park, including paved, designated food truck spaces, customer seating areas, and associated off-street parking. Landscaping is generally located in planting beds around the perimeter of the site and in planting islands and tree wells throughout the central paved area.

The abutting properties are all zoned for commercial use, and properties to the east, south, and north are developed with commercial uses. Beyond the abutting commercial properties to the north are residential neighborhoods. Existing landscaping on the abutting properties address screening and buffering of conflicting uses. The northwest corner of the subject site is visible from the surrounding residential neighborhood, and proposed landscaping on the subject site addresses this, as described further below.

Below is the plant material proposed for the project:

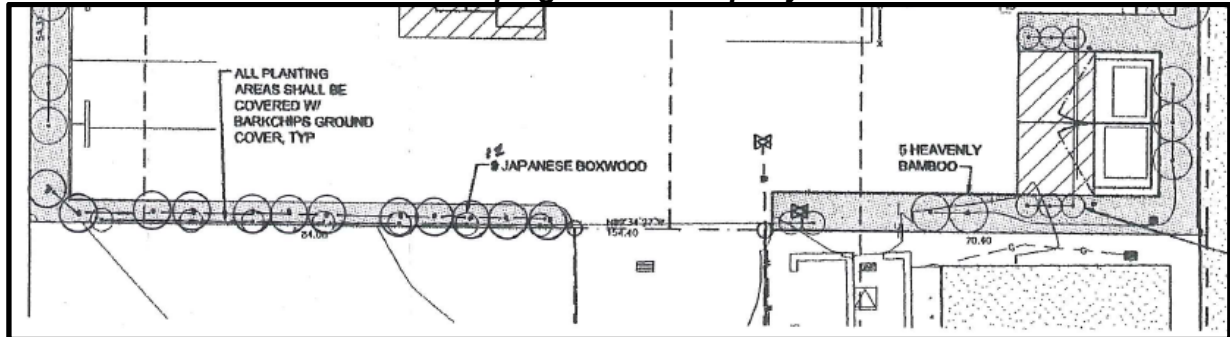
- Buxus microphylla japonica (Japanese Boxwood)
- Ceanothus thyrsifloris 'Skylark' (Skylark Ceanothus)
- Gaultheria shallon (Salal)
- Holodiscus discolor (Ocean Spray)

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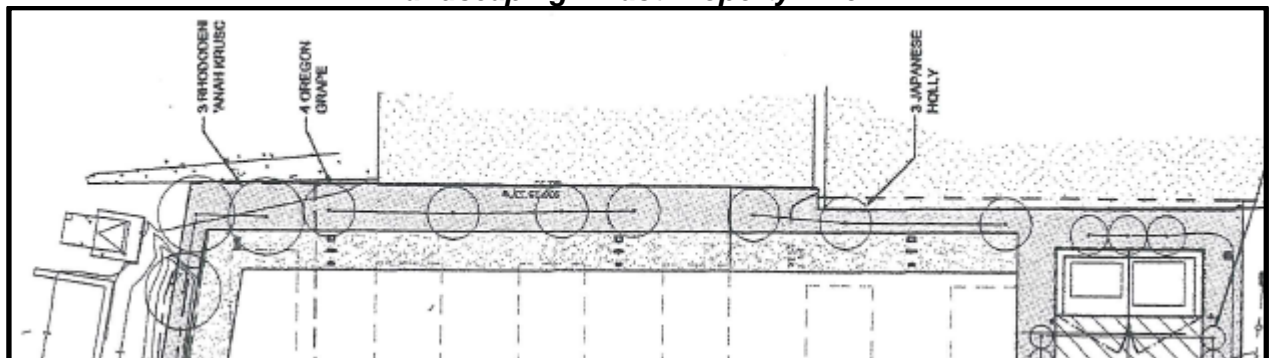
- Ilex crenata convexa (Japanese Holly)
- Mahonia aquifolia (Oregon Grape)
- Rhododendron 'Anah Kruschke' (Anah Kruschke Rhododendron)
- Taxus media 'Hicksii' (Hick's Yew)
- Nandina domestica (Heavenly Bamboo)
- Parrotia persica 'JLColumnar' (Persian Spire Parrotia)
- Acer circinatum (Vine Maple)
- Acer rubrum (Red Maple)

Landscaping – South Property Line



Landscaping along the south property line west of the driveway is located in a three (3) foot wide planting bed in front of an existing fence on the adjacent property. A row of 12 Japanese Boxwoods are proposed spaced at five (5) feet on center. East of the driveway and in front of the adjacent trash enclosure, additional Japanese Boxwoods are proposed. These are in the vicinity of a future water meter and backflow, and spacing standards will be required to be met. In the southeast corner of the site, adjacent to two blank walls of adjacent buildings, is the proposed trash enclosure for the subject site. Landscaping is provided around the enclosure – Hick's Yews on the sides, and Heavenly Bamboo between the enclosure and the adjacent building. Hick's Yews grow up to 12 feet in height and 4 feet wide, and Heavenly Bamboo grows to approximately six (6) feet high and wide. Both are evergreen shrubs and would provide screening and buffering of the trash enclosure.

Landscaping – East Property Line

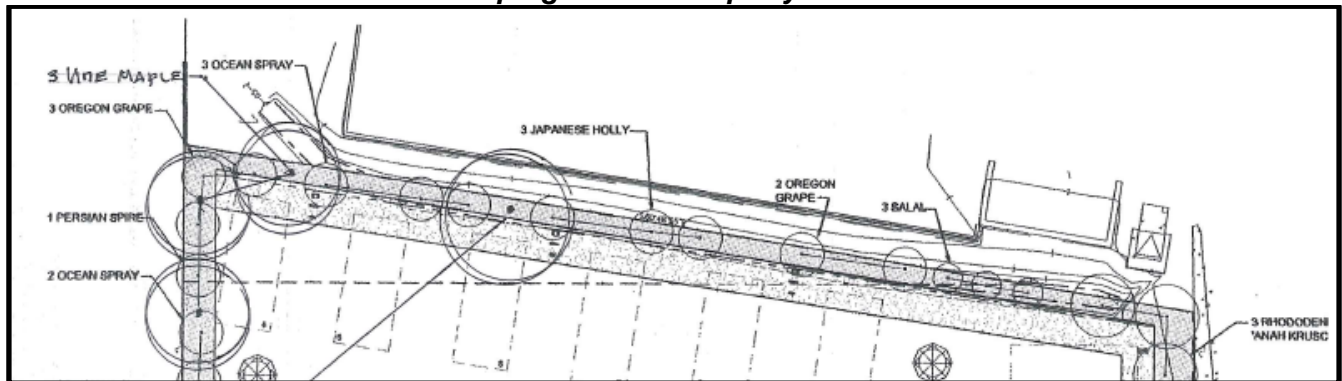


Along the east property line, plantings of Oregon Grape and Japanese Holly are proposed in front of the adjacent commercial buildings. Both are evergreen shrubs that can reach up to six (6) feet tall and wide. Oregon Grape is a Pacific Northwest native. In the northeast corner, a group of Anah Kruschke Rhododendrons is proposed. Anah Kruschke Rhododendron also grows to approximately six (6) feet tall and wide.

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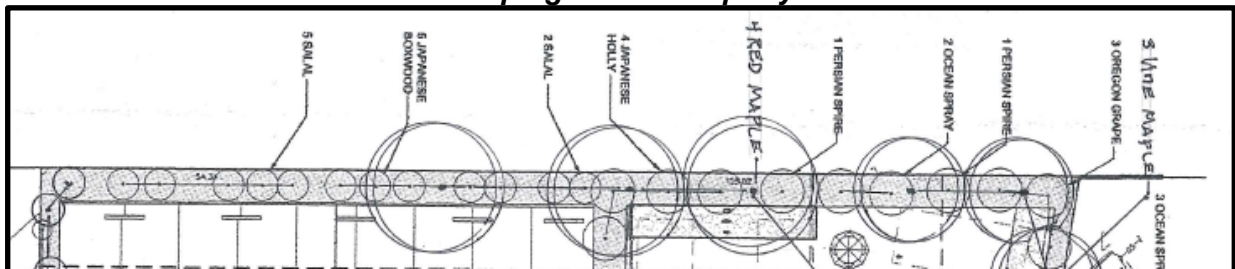
Landscaping – North Property Line



Plants along the north property line, located between the food truck spaces and the adjacent parking lot to the north, are a combination of Oregon Grape, Japanese Holly, Salal, and Ocean Spray. A Red Maple tree is also located in this area. Plants are spaced to provide groupings of shrubs, not a continuous border. This is generally compatible with the proposed use on the site and the uses on adjacent sites. The space between plant groupings would allow customers to walk from adjacent commercial uses or parking to the food truck park. The porous nature of a large food truck pod such as that proposed is supported by the perimeter planting.

In the northwest corner of the property, Vine Maples, Oregon Grape, and Ocean Spray provide additional screening and buffering of the property from the nearby residential neighborhoods.

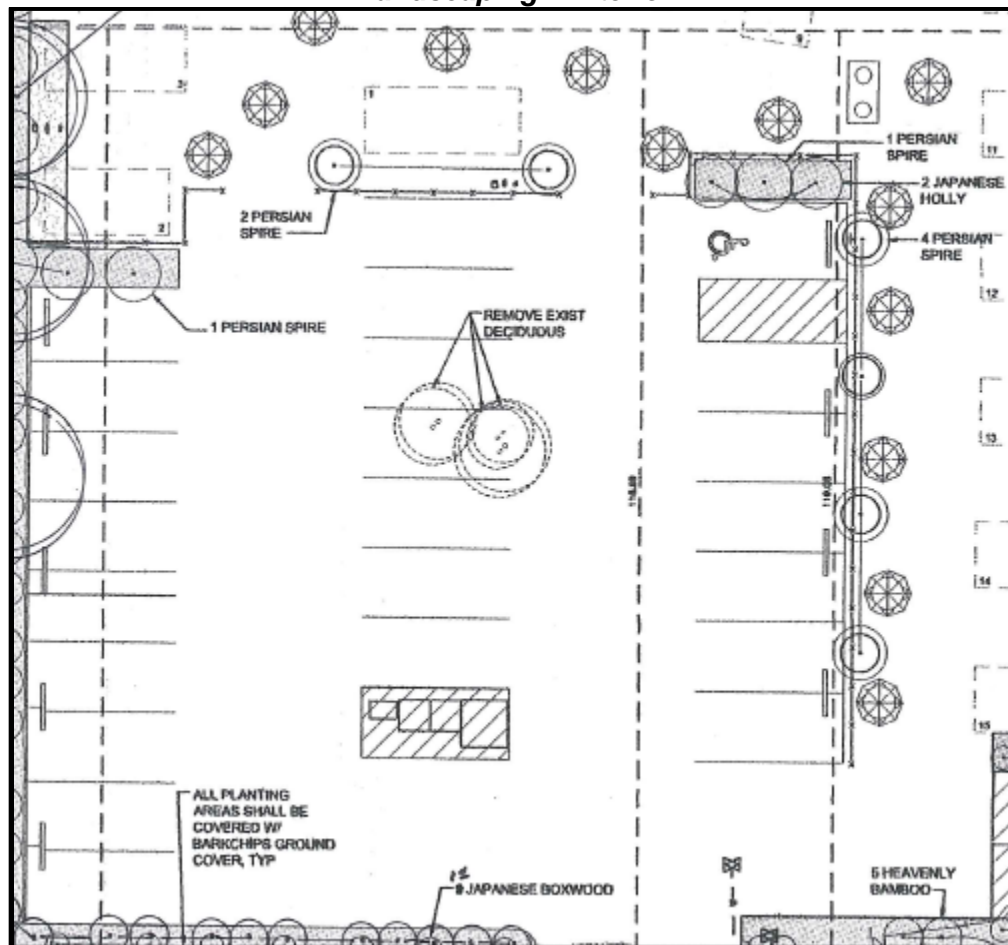
Landscaping – West Property Line



Proposed planting along the western property line features trees (Vine Maples, Persian Spire Parrotias, and Red Maples) and shrubs (Japanese Boxwood, Salal, Japanese Holly, and Ocean Spray). Salal is a native evergreen shrubs that remains low (up to two (2) feet) in full sun. Red Maples are shade trees that grow to 40 feet tall and wide, depending on the specific variety. The Red Maples are shown at approximately 20 to 25 feet on center. Also along the west property line are two (2) Persian Spire trees. These deciduous, columnar trees grow up to 25 feet tall by 10 feet wide, and with strong fall color. However, they are located immediately adjacent to the northernmost Red Maple and the southernmost Vine Maple. The growth characteristics of these trees are incompatible in immediate adjacency. A condition of approval has been included to remove the Persian Spire trees from the western property line in favor of the broader canopy maple trees to allow the canopy trees opportunity to thrive. Also in the condition is the provision of the red maple trees at regular spacing to the southern property line to provide shade to the parking lot, as described in more detail below.

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Landscaping – Interior

Eight (8) small, columnar Persian Spire Parrotia trees are proposed around the perimeter of the parking area in planting islands and tree wells, between the parking and the actual Food Truck Park. Because these trees are found on the perimeter of the food truck court where trucks would be driving, the columnar shape of the trees is compatible with their location and use. The compact form of the tree will help avoid damage from food trucks passing by. The trees will also help provide a delineation between the parking area and seating area, and will help shade the customer seating.

Staff finds that with the included condition, the proposed landscaping is compatible with the proposed development and that the subject site will be compatible with surrounding and abutting properties.

CONDITIONS FOR FINDING: That the applicant shall maintain proper clearances around the existing and future water and electrical services that will be located on the site. Landscaping shall not be placed within four (4) feet of fire hydrants, within four (4) feet of water valves, within four (4) feet of vaults, within three (3) feet of the back or side of a transformer, or within one (1) foot of water meters. Minor adjustments in plant placement from the locations shown on the approved landscape plan are allowed if relocation is necessary to meet minimum clearances.

That a non-columnar *Acer rubrum* (Red Maple) variety such as 'Franksred' (Red Sunset) or 'Frank Jr.' (Redpointe) be planted at 25 feet on center along the western property line, from the southern

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property line to approximately food truck space #3 (as indicated on the landscape plan). *Parrotia persica* 'JLColumnare' (Persian Spire Parrotia) shall not be planted along the western property line.

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

APPLICANT'S RESPONSE: The applicant did not provide a written response in the application.

FINDING: SATISFIED. The subject site is zoned C-3 (General Commercial). All surrounding and adjacent sites are also zoned C-3 (General Commercial). Therefore, there is no conflicting land use between the subject site and adjacent sites that would require special screening or buffering of the subject site and the use located thereon.

Northwest of the subject site is a residential neighborhood and an undeveloped public right-of-way. From that neighborhood along NE 24th Street, there are intermittent views into the northwest corner of the subject site from undeveloped right-of-way. The proposed landscaping in the northwest corner of the site would provide screening and buffering between the different land uses. The plant material found in the planting area around the perimeter of the northwest corner are a combination of *Acer circinatum* (Vine Maple), a deciduous tree growing approximately 20 feet high and wide, *Parrotia persica* 'JLColumnar' (Persian Spire Parrotia), a deciduous tree growing to 25 feet in height by 10 feet wide, *Holodiscus discolor* (Ocean Spray), a deciduous native shrub that tends to stay compact in dry sunny areas but can reach over 10 feet in height, and *Mahonia aquifolium* (Oregon Grape), a native evergreen shrub growing up to six (6) feet tall and not as wide. The combination of varying heights and evergreen and deciduous plant material would provide screening and buffering of the site from the residential neighborhood to the northwest.

17.57.070(B)(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.*

APPLICANT'S RESPONSE: The applicant did not provide a written response in the application.

FINDING: SATISFIED. The site is essentially flat and the existing grade will be generally maintained.

Centrally located on the site is a cluster of large *Populus balsamifera trichocarpa* (Black Cottonwood) trees that are proposed for removal. Black Cottonwood trees are native to the West Coast of the United States and can grow to up to 100 feet tall and 30 feet wide. Black Cottonwood trees are known to exhibit aggressive surface roots that will sucker is disturbed. Cottonwoods are prone to limb breakage due to weak wood and branch connections. Additionally, the cottony seeds released by female trees in the spring can become a nuisance.

The site plan indicates that the existing trees are located where the parking lot for the food truck court is proposed. Because of the high potential for root damage to adjacent pavement and nearby underground utilities, and the risk of limbs dropping on people and property, retention of the existing Black Cottonwood trees would not be appropriate to retain for the proposed use. Therefore, this criterion is satisfied.

17.57.070(B)(4). *The development and use of islands and plantings therein to break up parking areas.*

APPLICANT'S RESPONSE: The applicant did not provide a written response in the application.

FINDING: SATISFIED WITH CONDITION #3. The proposed project features three aisles of parking spaces. The westernmost aisle of 9 spaces is capped at each end by a planting area. At the north end, a planting island is proposed with a *Parrotia persica* 'JLColumnar' (Persian

Spire) tree, and *Ilex crenata* 'Convexa' (Japanese Holly). The Persian Spire is a deciduous, columnar tree reaching 25 feet in height and approximately 10 feet in width. Japanese Holly is an evergreen shrub growing to approximately six (6) feet in height and width. The southern edge of the parking area is a planting strip with *Buxus microphylla japonica* (Japanese Boxwood). Japanese Boxwood is an evergreen shrub growing to approximately four (4) to six (6) feet in height. The middle parking aisle has two Persian Spire trees in tree wells at the north end. The easternmost parking aisle of seven parking stalls has a planting island with two Japanese Holly plants and one Persian Spire tree. Additionally, on the eastern edge of the parking area, between the designated parking stalls and the pedestrian seating area are four (4) Persian Spire trees in tree wells. Planting islands and plantings, including evergreen shrubs and deciduous trees, have been incorporated into the landscape design to break up parking areas.

However, stated purpose and intents of the Landscaping Chapter of the McMinnville Zoning Ordinance is to "Provide parking lot landscaping to reduce the harmful effects of heat, noise, and glare associated with motor vehicle use," and to "Provide shade, and seasonal color." While the Persian Spire Parrotias display intense fall colors during the autumn, their columnar form provides minimal shade. The location of the trees along the north and east edges of the customer parking means that their shade will be cast toward the food truck stalls and customer seating areas, leaving the parking lot generally unshaded. One Red Maple shade tree is located on the western edge of the parking lot and would provide shade to a corner of the parking area. The planting area on the southern edge of the parking lot is only three (3) feet wide, which is generally not wide enough to support a tree. Therefore, a condition of approval has been included requiring the provision of shade trees (Red Maples) at regular spacing along the length of the western property line, from the south property line to approximately food truck stall #3. This condition will maximize the amount of shade provided to the parking lot given the planting areas available.

CONDITION FOR FINDING: That a non-columnar *Acer rubrum* (Red Maple) variety such as 'Franksred' (Red Sunset) or 'Frank Jr.' (Redpointe) be planted at 25 feet on center along the western property line, from the southern property line to approximately food truck space #3 (as indicated on the landscape plan). *Parrotia persica* 'JLColumnare' (Persian Spire Parrotia) shall not be planted along the western property line.

17.57.070(B)(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.*

APPLICANT'S RESPONSE: The applicant did not provide a written response in the application.

FINDING: SATISFIED. The subject site is not adjacent to a public right-of-way, therefore street trees are not required.

17.57.070(B)(6). *Suitable watering facilities or irrigation systems must be included in or near all planted areas.*

APPLICANT'S RESPONSE: The following note is found on the landscape plan:

NOTE: PLANTS PROPOSED ONCE ESTABLISHED,
SHOULD THRIVE WITH LITTLE TO NO IRRIGATION.

LANDSCAPING - ALL LANDSCAPING SHALL BE DESIGN/BUILD BY CONTRACTOR IN
ACCORDANCE WITH CITY OF MCMINNVILLE STANDARDS. PLANT MATERIALS SHALL BE
WATER CONSERVING, DROUGHT HARDY. IRRIGATION TO BE BY THE NUMEROUS AND
VARIOUS HOSE BIBBS INSTALLED WITH THIS PROJECT.

FINDING: SATISFIED. The proposed landscape plan indicates that all plant material is to be watered via hose bibs located throughout the project. One hose bib per food truck stall (15 total) is proposed, mainly along the north and east property lines. One hose bib is proposed along the western property line adjacent to the designated food truck spaces. No hose bibs are proposed along the southern property line, or adjacent to the parking lot along the west property line. The closest hose bibs to the southwestern corner of the site and the landscaping proposed in that area are approximately 100 feet away. Also, generally speaking, the proposed plants are drought tolerant once established. Staff finds the watering facilities to be suitable, therefore, this criterion is satisfied.

17.57.070(C) *All landscaping approved through the Landscape Review Committee shall be continually maintained, including necessary watering, weeding, pruning, mowing, and replacement.*

APPLICANT'S RESPONSE: The applicant did not provide a written response in the application.

FINDING: SATISFIED WITH CONDITION #4. A condition of approval will require 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.

CONDITION FOR FINDING: 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.

JF

**Planning Department**

231 NE Fifth Street • McMinnville, OR 97128
 (503) 434-7311 Office • (503) 474-4955 Fax
www.mcminnvilleoregon.gov

Office Use Only:

File No. L14-19
 Date Received 5-10-19
 Fee 801.35
 Receipt No. 200567
 Received by SA

Landscape Plan Review Application

Applicant Information

Applicant is: ☐ Property Owner ☐ Contract Buyer ☐ Option Holder ☒ Agent ☐ Other _____

Applicant Name CARLSON VEIT ARCHITECTS, PC Phone _____

Contact Name CHRIS VEIT Phone 503-390-0281
 (If different than above)

Address 3095 RIVER ROAD N

City, State, Zip SALEM, OR 97303

Contact Email CVEIT@CARLSONVEIT.COM

Property Owner Information

Property Owner Name AHMED EBELD, MD Phone 503-877-7941
 (If different than above)

Contact Name _____ Phone _____

Address 9730 SW 168TH PLACE

City, State, Zip BEAVERTON, OR 97007

Contact Email AEBELD2@HOTMAIL.COM

Site Location and Description

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

Property Address 839 NE AIWAY 99, McMinnville 97128

Assessor Map No. R4 416(B)00500- Total Site Area 22,857 SF

Subdivision _____ Block _____ Lot 00500

Comprehensive Plan Designation Com Zoning Designation C3

Landscaping Information

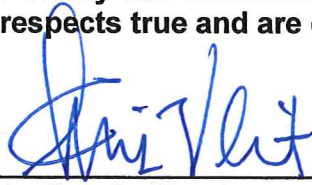
1. Total Landscaped Area: 2610 SF
2. Percent Landscaped: 11.4 %
3. Building Floor Area:
New Structure: N/A Existing Structure: N/A Addition: N/A
4. Architect Name CARLSON VEIT ARCHITECTS, PC Phone 503-390-0281
(Landscape Architect, Engineer, or Other Designer)
Contact Name CHARIS VEIT Phone 4
Address 3095 RIVER ROAD NW
City, State, Zip SALEM, OR 97303
Contact Email CVEIT@CARLSONVEIT.COM

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.
\$ 801.35

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

5-10-19
Date


Property Owner's Signature

5-14-19
Date



Richards Landscape Design

McMinnville Landscape Review Committee
231 NE 5th Street
McMinnville, OR 97128

August 8, 2019

To Whom It May Concern:

I have reviewed the McMinnville Landscape Review Committee comments on the Food Truck Park at 839 NE Highway 99. The LRC had concerns with some plant selections shown on the landscape plan. I will try and mitigate those concerns.

1. Gaultheria shallon and Mahonia aquifolium: Salal grows in the foothills of the Coast Range and in the Willamette valley. It will grow in full sun and once established will grow with very little water.
2. Oregon Grape: It has a deep tap root and grows in the Willamette valley in very dry soil in full sun in Yamhill and Polk counties. Once established it will grow with very little water.
3. The Persian Spire Tree: It is columnar or vase shaped and does provide some shade and abundant seasonal color.
4. The Japanese Boxwood: It is shown in a 3' wide plant bed and they are 5' o.c. not 10' o.c. as stated by the LRC. The plants could be trimmed to 3' o.c. They fit the space provided.
5. Hicks Yew: It is an upright growing plant and advertised at 3' wide and 6' tall. It is compatible with the narrow plant bed.
6. The north property line has a 10' wide planting area that will

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accommodate large shrubs. Ocean Spray, Japanese Holly and Oregon Grape were used along the adjacent parking lot to provide some screening.

7. Anah Kruschke Rhododendron: It is advertised to grow 5' tall and 5' wide, here in the valley it exceed 8' tall and 8' wide everywhere.

The graphic portrayal of plant material on the landscape plan is drawn to scale and shown at mature size. The Japanese Boxwood shown as different sizes on the plan came about through transfer and copying of the plan between the Landscape Architect and the Architect. It has been corrected.

The plan is easy to read and shows the landscaping and plant materials in the spaces provided.

As you can see the entire site is fairly small with small plant beds for plants. Plants were used at the ends of the isle ways. Plants were used where needed to screen, buffer and provide a pleasant experience for the visitor.

I have added trees to the north and west property lines to provide screening of the project from the neighborhood. The neighborhood is quite a distance away and is surrounded by its own trees. The trees should provide shade to the parking areas and provide fall color.

With the addition of trees grouped with the existing plants, the landscaping should be dense enough to adequately screen the neighborhood.

There is very little parking on-site and losing spaces to landscaping, in the middle of the parking area is not advisable. A mid island is one more obstacle to parking and turning vehicles.

With the few corrections and additions as indicated, I believe the landscape plan provides sufficient landscaping as is, to address your concerns.

Your comments and suggestions are appreciated.

In Regards,

A handwritten signature in cursive script that reads "Russell K. Richards". The signature is written in dark ink and is positioned above the printed name.

Russell K. Richards***Landscape Designer
1858 NW 8th St., McMinnville, OR 97128



City of McMinnville
Planning Department
231 NE Fifth Street
McMinnville, OR 97128
(503) 434-7311
www.mcminnvilleoregon.gov

EXHIBIT 5 - STAFF REPORT

DATE: August 21, 2019
TO: Landscape Review Committee Members
FROM: Jamie Fleckenstein, Associate Planner
SUBJECT: Agenda Item 5A – LRC Role and Responsibilities

STRATEGIC PRIORITY & GOAL:



GROWTH & DEVELOPMENT CHARACTER

Guide growth & development strategically, responsively & responsibly to enhance our unique character.

OBJECTIVE/S: Strategically plan for short and long-term growth and development that will create enduring value for the community

Report in Brief:

The purpose of this discussion item is to review the role and responsibilities of the Landscape Review Committee.

Background:

During several recent Landscape Review Committee meetings, committee members have had recurring discussion of landscape related topics, including concern for City street improvement projects and resulting street tree removals, Landscape Review Committee review of City projects, and park maintenance. Though not specifically Landscape Review Committee related or within the Committee's direct purview, these concerns and questions were relayed to appropriate City staff. During staff's follow-up discussions, it was suggested to review the role and responsibilities of Committee to provide better focus and efficiency to Committee proceedings.

Discussion:

Staff will facilitate a discussion and review of the role and responsibilities of the Landscape Review Committee.

Attachments:

Attachment A - Landscape Review Committee Enabling Code – MMC Chapter 2.33 Landscape Review Committee

Fiscal Impact:

None.

Recommendation:

No motion required.

Chapter 2.33
LANDSCAPE REVIEW COMMITTEE
(Moved from Chapter 17 – Ord. 5028)

Sections:

- 2.33.010 Purpose.
- 2.33.020 Responsibilities and Power.
- 2.33.030 Membership.
- 2.33.040 Officers.
- 2.33.050 Meeting/Quorum.
- 2.33.060 Expenses / Reimbursements.
- 2.33.070 Special Provisions.
- 2.33.080 Staff Support.

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. (Ord 5028 §1, 2017)

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. (Ord 5028 §2, 2017)
- 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 land-use application reviews, comprehensive plan policies and zoning ordinance amendments relative to the committee's purpose statement. (Ord 5028 §2, 2017)

2.33.030 Membership

- A. Number of Members. The Landscape Review Committee shall be composed of five members. (Ord 5028 §3, 2017)
- B. Residency. Members shall reside in the McMinnville Urban Growth Boundary. A majority of members shall reside within the city limits. The Common Council can appoint a member to the committee who does not reside in the Urban Growth Boundary if it is determined that the member brings significant value to the purpose of the committee. (Ord 5028 §3, 2017)
- 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. (Ord 5028 §3, 2017)
- D. Appointments. The Common Council will appoint the committee members. (Ord 5028 §3, 2017)
- E. Terms. All terms are for three years commencing with January of each year. (Ord 5028 §3, 2017)
- 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. (Ord 5028 §3, 2017)

- 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. (Ord 5028 §3, 2017)

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. (Ord 5028 §4, 2017)
- 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. (Ord 5028 §4, 2017)

2.33.050 Meeting/Quorum

- A. Meeting Schedule. The Committee shall meet as required to accomplish their responsibilities. (Ord 5028 §5, 2017)
- B. Meeting Conduct. The Rules of Parliamentary Law and Practice as in Roberts Rules of Order Revised Edition shall govern each committee meeting. (Ord 5028 §5, 2017)
- C. Open to the Public. All meetings shall be open to the public. (Ord 5028 §5, 2017)
- 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. (Ord 5028 §5, 2017)

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. (Ord 5028 §6, 2017)

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. (Ord 5028 §7, 2017)
- B. The Common Council may appoint an ad-hoc committee to address issues that are not under the purview of the existing committee. (Ord 5028 §7, 2017)

2.33.080 Staff Support. Staffing shall be determined by the City Manager or City Manager designee. (Ord 5028 §8, 2017)