

## AGENDA

### 1. Call to Order

### 2. Approval of Minutes: September 21, 2016 Regular Meeting (Exhibit 1)

### 3. Action Items

#### A. L 22-16 (Exhibits 2 - 4)

Request: Approval of tree replacement plan and maintenance plan –  
a condition of approval from the original tree removal request.

Location: 1200 NE Baker Street

Applicant: Shawn Rollins

#### B. L 32-16 (Exhibits 5 - 8)

Request: Removal of one (1) street tree

Location: 3004 NE Hembree Street

Applicant: Wai Keong Ng

### 4. Discussion Items

#### A. Overview of Landscape & Tree Regulations (Exhibits 9 - 11)

#### B. Overview of Approved Tree List & Tree Planting Detail (Exhibits 12 - 14)

### 5. Citizen Comments

### 6. Committee Member Comments

### 7. Staff Comments

### 8. Adjournment

City of McMinnville  
Landscape Review Committee  
Regular Meeting

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

## MINUTES

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

Members Absent: None

Staff Present: Chuck Darnell (Associate Planner), Ron Pomeroy (Principal Planner), and Heather Richards (Planning Director)

Others Present: John Ashton (Applicant), and Jared Miller (Guest)

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

Principal Planner Pomeroy called the meeting to order at 12:00 PM. Pomeroy introduced Chuck Darnell, a new staff person. All attendees introduced themselves and described their position on the Landscape Review Committee.

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

There were no minutes to approve.

### **3. Action Items**

#### **L 16-15**

Principal Planner Pomeroy introduced the application and plan, which is a revised landscape plan for the property at 1535 NE Miller Street. Chair Stephenson abstained from voting on the plan because he was involved in the creation of the plan, but did describe the landscaping features on the revised plan.

Committee Member Caughran asked if the original requirements of the City were met on the revised plan. Staff stated that they were addressed. Committee Member McDaniel asked for a clarification on the type of landscaping being proposed.

***Planning Department***

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

Committee Member Caughran moved that the revised plan be approved. Committee Member Gunter seconded. With no further discussion, the Landscape Review Committee members voted to approve the revised plan unanimously.

#### **L 24-16 – Continued from August 17, 2016 Meeting**

Principal Planner Pomeroy introduced the application, which is a continuation of a tree removal request for the property at 957 SW Fellows Street. Pomeroy stated that Public Works staff completed an inspection, as requested by the Landscape Review Committee at the August meeting, and concurred with the arborist's report that there was decay in the tree and recommended that the arborist's recommendation of removal be followed.

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

#### **L 25-16 – Continued from August 17, 2016 Meeting**

Principal Planner Pomeroy introduced the application, which is a continuation of a landscape tree removal request for the property at 1201 NE Highway 99W. Pomeroy stated that Public Works staff completed an inspection, as requested by the Landscape Review Committee at the August meeting, and concurred with the arborist's report that there was poor branching structure and shallow rooting. Public Works staff recommended that the tree be removed and replaced, as the tree was part of an originally approved landscape plan.

Chair Stephenson suggested that the replacement tree be of three (3) inch caliper, measured six (6) inches above grade to match the maturity of the other trees in the area.

Committee Member Caughran stated that the applicant could have moved the sign and avoided removing the tree. Committee Member Gunter stated that the report also noted that there were no major health issues with the tree.

Committee Member McDaniel asked whether the tree could be supported in any way to preserve the tree. Committee Member Kearns stated that his landscaping company does not have any experience with that any type of support system to preserve trees.

Chair Stephenson stated that root barrier should be required on this application. Committee Member Kearns stated that any tree replacement near parking or sidewalks be required to have root barriers.

Chair Stephenson moved that the removal request be approved, with conditions that the tree be replaced with a three (3) inch caliper tree, that root barrier be installed, and that the irrigation should be repaired. Committee Member McDaniel seconded. Committee Member Kearns stated that the replacement tree should be of a species similar to the others on the

site. With no further discussion, the Landscape Review Committee members voted to approve the tree removal request unanimously.

#### **L 26-16**

Principal Planner Pomeroy introduced the application and street tree plan for Phase 4 and Phase 5 of the Valley's Edge subdivision. Pomeroy stated that Public Works staff completed a review, and was in support of the types of trees being proposed.

Chair Stephenson suggested that root barrier be required on all of the street tree plantings. Committee Member Kearns stated that the detail on the plan does show root barrier.

The committee members discussed the placement of the trees, and ultimately decided that the plan should be approved as shown, but allow for minor changes if required to meet utility and other infrastructure setbacks. However, the tree spacing should always meet the maximum spacing requirements as required by the Trees chapter of the zoning ordinance.

Chair Stephenson moved that the street tree plan be approved, with conditions that the trees be two (2) inch caliper trees, that root barrier be installed, and that all other requirements of the review criteria be followed. Committee Member McDaniel seconded. With no further discussion, the Landscape Review Committee members voted to approve the tree removal request unanimously.

#### **L 27-16**

Principal Planner Pomeroy introduced the application, which is a request for a tree removal request for the property at 1843 NW Poppy Hills Drive. Pomeroy stated that Public Works staff completed an inspection, as requested by the Landscape Review Committee at the August meeting, and concurred with the arborist's report that there is large roots that are impacting the adjacent sidewalk and recommended that the arborist's recommendation of removal be followed.

Committee Member McDaniel asked whether the sidewalk could be repaired to save the tree. Committee Member Kearns stated that it would be a temporary fix, and the roots would impact the sidewalks again in the future.

Chair Stephenson stated that there should be a timeline for when the tree replacement should be completed. Planning Director Richards stated that it would be the City's responsibility to inspect and ensure that the replacement is completed. Committee Member Kearns stated that six months would be an adequate time to allow the owner to plan for and complete the tree replacement.

Chair Stephenson moved that the street tree plan be approved, with conditions that the replacement tree be a two (2) inch caliper trees and of a tree of similar variety to others in the subdivision, that root barrier be installed, and that all other requirements of the review criteria be followed. Committee Member Caughran seconded. With no further discussion,

the Landscape Review Committee members voted to approve the tree removal request unanimously.

#### **L 28-16**

Principal Planner Pomeroy introduced the plan, which is a request for the removal of 2 street trees at the property at 2014 NE McDaniel Lane. Pomeroy stated that Public Works staff completed an inspection and determined that there was sidewalk damage from the trees, and that Public Works recommended that the trees be removed and replaced with a tree species acceptable to the Landscape Review Committee.

Committee Member Kearns moved that the street tree plan be approved, with conditions that the replacement tree be a two (2) inch caliper trees and of a tree from the approved Street Tree List, that root barrier be installed, and that all other requirements of the review criteria be followed. Chair Stephenson seconded. With no further discussion, the Landscape Review Committee members voted to approve the tree removal request unanimously.

#### **L 30-16**

Principal Planner Pomeroy introduced the street tree plan for Phase 5 of the West Valley Estates subdivision. Pomeroy stated that Public Works staff completed a review, and was not in support of the types of trees being proposed because they would be too large. Public Works recommended that the trees be *Red Sunset* or *Armstrong* species.

Committee Member Caughran stated that the trees should be planted as the species shown, not as a type that is available at the time of planting as the street tree plan described. Committee Member Gunter stated that our approval should include specific species that would be allowed. Planning Director Richards stated that staff will ensure that those species are all on the approved Street Tree List.

Committee Member Gunter moved that the removal request be approved, with conditions that the trees be two (2) inch caliper trees of the species recommended by staff, that root barrier be installed, and that all other requirements of the review criteria be followed. Committee Member McDaniel seconded. With no further discussion, the Landscape Review Committee members voted to approve the tree removal request unanimously.

#### **L 31-16**

Principal Planner Pomeroy introduced the plan, which is a new landscape plan for the property at 3440 NE Three Mile Lane. Committee Member Kearns abstained from voting on the plan because he was involved in the creation of the plan, but did describe the landscaping features on the plan. Principal Planner Pomeroy stated that the landscaping for the property is considered to be part of a campus development, and the landscaping requirement of 14 percent is being met.

Chair Stephenson stated that the other criteria to be reviewed would be quality of landscaping and placement of landscaping, and that he believed the plans displayed high quality landscaping. Committee Member McDaniel

Chair Stephenson moved that the plan be approved as drawn. Committee Member Gunter seconded. With no further discussion, the Landscape Review Committee members voted to approve the revised plan unanimously.

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

Associate Planner Darnell reviewed the tree removal request for the property at 1200 NE Baker Street, which was conditionally approved at the last Landscape Review Committee meeting. Conditions of approval were that a replacement plan and maintenance plan be submitted and reviewed by the Committee, but those plans had not been submitted.

The Landscape Review Committee directed staff to contact the applicant and require that they submit the plans for review at the next Landscape Review Committee meeting.

#### **5. Citizen Comments**

There were no citizen comments.

#### **6. Committee Member Comments**

There were no committee member comments.

#### **7. Staff Comments**

There were no staff comments.

#### **8. Adjournment**

The meeting was adjourned at 1:24 PM.



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

503-434-7311  
[www.mcminnvilleoregon.gov](http://www.mcminnvilleoregon.gov)

## STAFF REPORT

**DATE:** October 19, 2016  
**TO:** Landscape Review Committee Members  
**FROM:** Chuck Darnell, Associate Planner  
**SUBJECT:** Agenda Item 3A: L 22-16

### Report in Brief:

This request is for the approval of a tree replacement plan and maintenance plan, which were conditions of approval from the original tree removal request approved on August 17, 2016. The applicant is also requesting the removal of two (2) additional street trees, in addition to the seven (7) street trees that were conditionally approved to be removed on August 17, 2016.

### Background:

The applicant, Shawn Rollins, submitted a tree removal request to remove seven (7) street trees from the property located at 1200 NE Baker Street. The street trees requested to be removed are located on the west side of the building, fronting NE Cows Street. The subject property is more specifically described as Tax Lot 1591, Section 16CC, T. 4 S., R. 4 W., W.M.

The Landscape Review Committee reviewed the request, and approved the removal of the seven (7) street trees, contingent on the applicant providing a tree replacement plan and a maintenance plan to ensure that the trees remain healthy for twelve (12) months from the date of planting.

Since that time, the applicant has determined that there are actually nine (9) trees on the property that are in poor condition and is requesting the removal of all nine (9) trees.

### Discussion:

The two (2) additional trees that are being requested to be removed are dying and are in an obvious state of decline. The Public Works Superintendent, upon inspection of the site in question, originally recommended that all nine (9) existing trees be allowed to be removed, if the applicant so desired. The applicant is now requesting the removal of all nine (9) trees. Staff believes that the two (2) additional trees could be removed, based on the fact that the applicant has submitted a replacement plan that identifies the installation of nine (9) *Acer circinatum* 'Vine Maple' in place of the nine (9) street trees that will be removed.

#### Attachments:

Tree Replacement Plan (Exhibit 3)  
Tree Maintenance Plan (Exhibit 4)

## Street Tree Standards (Section 17.58.090):

### Tree Species:

The replacement plan submitted identifies the installation of nine (9) *Acer circinatum* 'Vine Maple' in place of the nine (9) street trees that will be removed. The Vine Maple species is not specifically identified on the approved McMinnville Street Tree list, but species not on the McMinnville Street Tree list may be approved by the Landscape Review Committee (Section 17.58.090(A)).

### Tree Size:

The replacement plan shows that the nine (9) replacement trees will be five (5) to seven (7) feet in height at the time of planting. Staff suggests that a condition of approval be that the street trees be a minimum of two (2) inches in caliper measured at six (6) inches above ground level (Section 17.58.090(B)). The size of trees shown on the plan should meet that requirement, but the condition of approval will ensure that the replacement trees meet the City's standard.

### Tree Placement & Spacing:

The *Acer circinatum* 'Vine Maple' species grows to about 15 (fifteen) feet tall and a width of about 20 (twenty) feet. The replacement plan submitted also identifies the installation of rhododendron, dwarf burning bush, and bamboo between the trees to fill out the planting strip between the building and the curb.

This type of tree (under 25 feet tall) is normally required to be spaced no greater than 20 (twenty) feet apart (Section 17.58.090(C)). However, within commercial development, irregular spacing is permitted when approved by the Landscape Review Committee. Staff believes that the additional landscaping proposed between the trees supports the proposed wider spacing of the street trees, as additional plants will be installed to fill out the planting strip and provide screening of the building from NE Cows Street.

The proposed locations of the nine (9) street trees on the replacement plan meet other City's placement requirements. The street trees are being planted in a landscape strip wider than the minimum three (3) feet in width, and the street trees are shown to be planted more than two and one-half (2 1/2) feet from the face of the curb on NE Cows Street (Section 17.58.090(D)). Staff suggests that a condition of approval be included that reminds the applicant of the spacing requirements from other utilities (Section 17.58.090(E)).

### Tree Maintenance:

The applicant has submitted a maintenance plan in the form of a 12 (twelve) month commercial maintenance contract with a landscaping company. This contract, if properly executed, will ensure that the nine (9) street trees being planted in place of the existing street trees will be maintained. This meets the requirement from the original condition of approval that the applicant submit a maintenance plan to ensure that the trees remain healthy for 12 (twelve) months from the date of planting. The applicant has also stated that they will manually water the new trees and plants until they are established. Staff suggests that a condition of approval be that the applicant replace any street trees or landscaping that does not survive the first year after planting.

### Fiscal Impact:

None.

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### Attachments:

Tree Replacement Plan (Exhibit 3)

Tree Maintenance Plan (Exhibit 4)

## Recommendation/Suggested Motion:

Based on the observations and findings described above, staff is recommending that the two (2) additional tree removals, as well as the tree replacement and maintenance plans, be approved with the following conditions:

1. That the applicant contact the appropriate utility-locate service (dial 811 or 800-332-2344) prior to digging to ensure that underground utilities are not damaged during this process.
2. That the trees' stumps and remaining surface roots shall be removed at least six (6) inches below grade.
3. That the applicant shall plant nine (9) street trees and all other landscaping as shown on the approved tree replacement plan dated September 26, 2016. The trees shall be a minimum of two (2) inches in caliper measured at six (6) inches above grade, and shall be of the *Acer circinatum* 'Vine Maple' species.
4. That the replacement street trees be spaced no greater than 40 (forty) feet apart, as shown on the approved tree replacement plan dated September 26, 2016, based on the fact that additional landscaping will be installed between the street trees.
5. That the replacement trees shall be provided with root barrier protection in order to minimize infrastructure and tree root conflicts. The barrier shall be placed on the building 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 18 (eighteen) inches. In addition, all trees shall be provided with deep watering tubes to promote deep root growth (see enclosed detail).
6. That the applicant is reminded that trees are not to be planted within:
  - a. Five feet of a private driveway or alley;
  - b. Ten feet of a fire hydrant, transformer, power or water vault, water meter box, utility pole, sanitary sewer, storm or water line; or
  - c. Twenty feet of street light standards or street intersections.
7. That the applicant shall contact the McMinnville Public Works Superintendent, David Renshaw, at (503) 434-7316 to discuss specific staking, watering tube requirements, and to schedule a planting inspection prior to backfilling.
8. That the planter area shall be restored to original grade immediately following the planting of the replacement trees.
9. That all costs and liability associated with the trees' removal and replanting shall be borne by the applicant.
10. That the applicant shall complete the removal and replanting within six (6) months of this approval notification, or April 21, 2017.
11. That the City shall inspect the site 12 (twelve) months after planting, and may require the replacement of any street trees or landscaping that does not survive the initial planting and maintenance period.

Suggested Motion: Staff recommends that a motion be made to approve the two (2) additional street tree removals, the tree replacement and maintenance plans, and subject to the conditions as noted in the staff report.

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### Attachments:

Tree Replacement Plan (Exhibit 3)

Tree Maintenance Plan (Exhibit 4)



Proposal



# C and D Landscape Company

COMPLETE COMMERCIAL AND RESIDENTIAL LANDSCAPE SERVICE

16800 NE McDougall Road, Dayton, OR 97114 • www.canddlandscape.com

p: 503.864.3551 • f: 503.864.4428 • LCB #5207 • CCB #198992

PROPOSAL SUBMITTED TO <b>Shawn Rollins</b>		PHONE	DATE <b>09/26/2016</b>
STREET <b>Baker Street Square</b>		JOB NAME	
CITY, STATE, ZIP <b>McMinnville, Or</b>		JOB LOCATION <b>Back of Property.</b>	
DESIGNER	DATE OF PLANS	JOB CONTACT	CONTACT PHONE

We hereby submit specifications and estimates for:

**Bid Includes:**

- Removal of the dead and dying pine trees at the back of the property. Clean up and removal of remaining under brush vegetation. Installation of new plants as per submitted design. Installation of two units of hemlock bark mulch in newly planted shrub bed.

- |  |             |
|--|-------------|
| 1. Removal of existing trees by arborist | \$ 2,000.00 |
| 2. New Landscape according to plan       | \$ 5,530.00 |

Bid Total \$ 7,530.00

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OCT 07 2016  
COMMUNITY DEVELOPMENT  
CENTER

**We Propose** hereby to furnish material and labor-complete in accordance with above specifications, for the sum of:

Seven Thousand Five Hundred Thirty Dollars and \_\_\_\_\_ 00/100 dollars (\$7,530.00 )

10% down to schedule, Final due upon receipt of invoice at completion

All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate.

Authorized Signature: Joshua Kearns

NOTE: This proposal may be withdrawn by us if not accepted within 30 days

**Acceptance of Proposal** -The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above. Any amounts payable by customer hereunder which remain unpaid after the due date shall be subject to a late charge equal to \$35.00 per month from the due date until such amount is paid. Any attorney fees, court costs, or other costs incurred in collection of delinquent accounts shall be paid by Client.

Signature: \_\_\_\_\_

Signature: \_\_\_\_\_

Date of Acceptance: \_\_\_\_\_

## Proposal



# C and D Landscape Company

COMPLETE COMMERCIAL AND RESIDENTIAL LANDSCAPE SERVICE

16800 NE McDougall Road, Dayton, OR 97114 • www.canddlandscape.com

p: 503.864.3551 • f: 503.864.4428 • LCB #5207

PROPOSAL SUBMITTED TO <b>Sweep Rite Inc.</b>		PHONE <b>503-472-1323</b>	DATE <b>10-10-2016</b>
STREET <b>PO box 953</b>		JOB NAME <b>Baker St. Square</b>	
CITY, STATE, ZIP <b>McMinnville, Or 97128</b>		JOB LOCATION <b>1200 NE Baker St McMinnville, Or 97128</b>	
DESIGNER	DATE OF PLANS	JOB CONTACT <b>Shawn Rollins</b>	CONTACT PHONE <b>971-237-1452</b>

We hereby submit specifications and estimates for

## COMMERCIAL MAINTENANCE CONTRACT 12 month contract

### LAWN CARE:

- ☐ Mow weekly average 38 mowing per year
- ☐ Edge twice per month or as needed
- ☐ Fertilize 4 times per year or as needed
- ☐ Calcium application once per year
- ☐ Treat as needed for weed control

### SHRUB AND ORNAMENTAL TREE CARE:

- ☐ Prune as needed to promote growth and neat appearance
- ☐ Fertilize annually in spring
- \*\*\*Trees exceeding 20ft in height are not included in this contract.

### SHRUB BEDS:

- ☐ Maintain shrub beds to keep them weed free
- ☐ Rake leaves and debris as needed
- ☐ Apply pre-emergent weed control annually in the spring

### IRRIGATION SYSTEM:

- ☐ Maintain in proper working order and proper adjustment
- ☐ Hand water New Plantings weekly June-September at an additional labor rate of \$50 per man hour
- ☐ Winter shut-down/spring start-up (backflow tests not included)

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OCT 10 2016

COMMUNITY DEVELOPMENT  
CENTER

Exclusions that are available upon request: Moss removal and control on hard surfaces, bark mulch applications, annual color spots, plant removal and installation, lawn aerations, thatch removal, holiday or event lighting, irrigation repairs and improvements, and rejuvenation or reconstructive pruning.

This contract may be canceled by either party with 30 days written notice and payment in full for services rendered to date by record of C and D Landscape Co.

**We Propose** hereby to furnish material and labor-complete in accordance with above specifications, for the sum of:

Three-thousand six-hundred \_\_\_\_\_ dollars (\$3,600.00 )

Payable in 12 monthly payments of \$ 300.00 per month, due on the 1st of each month following services.

Example: January services billed January 25th, due February 1st.

All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate.

Authorized  
Signature: \_\_\_\_\_

NOTE: This proposal may be withdrawn by us if not accepted within 30 days

**Acceptance of Proposal** -The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above. Any amounts payable by customer hereunder which remain unpaid after the due date shall be subject to a late charge equal to 2% per month from the due date until such amount is paid. Any attorney fees, court costs, or other costs incurred in collection of delinquent accounts shall be paid by Client.

Signature \_\_\_\_\_

Signature \_\_\_\_\_

Date of Acceptance \_\_\_\_\_

Client Copy



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

503-434-7311  
[www.mcminnvilleregon.gov](http://www.mcminnvilleregon.gov)

## STAFF REPORT

**DATE:** October 19, 2016  
**TO:** Landscape Review Committee Members  
**FROM:** Chuck Darnell, Associate Planner  
**SUBJECT:** Agenda Item 3B: L 32-16

### Report in Brief:

An application for a street tree removal (L 32-16) to be reviewed by the Landscape Review Committee.

### Background:

The applicant, Wai Keong Ng, submitted a street tree removal application to remove one (1) street tree from the property located at 3004 NE Hembree Street. The street tree requested to be removed is located on the south side of the property, fronting NE Grandhaven Street. The subject property is more specifically described as Tax Lot 707, Section 9CC, T. 4 S., R. 4 W., W.M.

### Discussion:

The applicant is requesting the removal of the tree due to the tree blocking the view of their corner lot and blocking the view of on-coming traffic on NE Grandhaven Street. The applicant is also concerned about the debris that the tree drops on the public sidewalk because the sidewalk is used by a large number of children from the nearby Grandhaven Elementary School. The applicant believes that the accumulation of debris from the tree on the sidewalk could cause an injury to someone traveling on the sidewalk.

Section 17.58.050 of the McMinnville Zoning Ordinance states that street tree removals may be granted if any of the following criteria apply:

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

#### *Attachments:*

*Application (Exhibit 6)*

*Photos of Tree (Exhibit 7)*

*Public Works Comments (Exhibit 8)*

The applicant has not submitted a report from a Certified Arborist. Staff did inspect the tree in question, and on the day of inspection there was a decent amount of debris (pine cones and pine needles) on the sidewalk. The tree was also leaning towards and out over the right-of-way, which could cause a longer-term issue if the tree were ever to fall during a storm event. Staff happened to conduct the inspection shortly after school got out, and there was a large amount of pedestrian traffic traveling along the north side of NE Grandhaven Street from the school past the property at 3400 NE Hembree Street.

The Public Works Superintendent, upon inspection of the site in question, has determined that the tree does in fact interfere with sight lines from the intersection of NE Hembree Street and NE Grandhaven Street. The tree is located at the beginning of a horizontal curve in the roadway on the westbound approach to NE Hembree Street. Therefore, the tree blocks visibility of westbound traffic on NE Grandhaven Street for southbound traffic on NE Hembree Street. For that reason, the Public Works Superintendent would not recommend that a replacement tree be planted in the existing planting strip.

Based on the recommendations from the Public Works Superintendent and the fact that the tree could potentially cause a safety issue, staff is recommending that the tree be removed based on the tree removal criteria in Section 17.58.050(A) of the McMinnville Zoning Ordinance. Also, the existing tree is not of a species from the McMinnville Street Tree List and is causing debris to fall on the sidewalk.

**Fiscal Impact:**

None.

**Recommendation/Suggested Motion:**

Based on the findings described above, staff is recommending that the street tree removal be approved with the following conditions:

1. That the applicant contact the appropriate utility-locate service (dial 811 or 800-332-2344) prior to digging to ensure that underground utilities are not damaged during this process.
2. That the tree's stumps and remaining surface roots shall be removed at least six (6) inches below grade.
3. That the applicant shall make any necessary sidewalk repairs and obtain necessary permits from the City prior to initiating such work. Please call the Engineering Department at (503) 434-7312 for sidewalk standards and specifications prior to construction.
4. That the planter area shall be restored to original grade immediately following the planting of the replacement trees.
5. That all costs and liability associated with the trees' removal shall be borne by the applicant.
6. That the applicant shall complete the removal within six (6) months of this approval notification, or April 21, 2017.

Suggested Motion: Staff recommends that a motion be made to approve the street tree removal request, subject to the conditions as noted in the staff report.

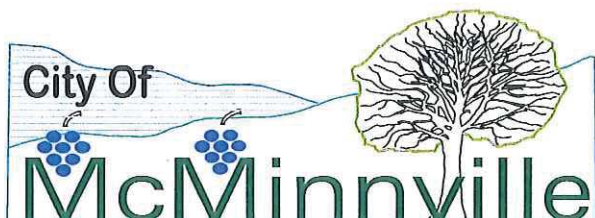
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*Attachments:*

*Application (Exhibit 6)*

*Photos of Tree (Exhibit 7)*

*Public Works Comments (Exhibit 8)*

**Planning Department**

231 NE Fifth Street • McMinnville, OR 97128

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

[www.ci.mcminnville.or.us](http://www.ci.mcminnville.or.us)**Office Use Only:**File No. L32-16Date Received 9-30-16Fee 0

Receipt No. \_\_\_\_\_

Received by SP

## Street Tree Removal

### Applicant Information

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

Applicant Name Wai Heong Ng Phone 760 845 8643

Contact Name Jia Wu Phone \_\_\_\_\_  
 (If different than above)

Address 3004 NE HEMBREE STCity, State, Zip McMINNVILLE OR 97128Contact Email jwoohoo96@gmail.com

### Property Owner Information

Property Owner Name Wai Heong Ng Phone 760 845 8643  
 (If different than above)

Contact Name Jia Wu Phone 760 845 8643Address 3004 NE HEMBREE STCity, State, Zip McMINNVILLE OR 97128Contact Email jwoohoo96@gmail.com

### Site Location and Description

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

Property Address 3004 NE HEMBREE ST McMinnville OR 97128  
 (Property nearest to tree(s) for removal)

Assessor Map No. R4 409 - 40 - 00707 Total Site Area 19,634 sq ftSubdivision With Addition Block \_\_\_\_\_ Lot \_\_\_\_\_Comprehensive Plan Designation R-1 Zoning Designation R-1

### Additional Information

1. How many trees are requested for removal? 1
2. What type (species) of tree(s) are they? LONGPOLE PINE
3. What is the diameter of the tree(s), measured four feet above ground level? 36in
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 tree  
I am requesting removal blocks the view of our corner lot of on coming traffic  
turning down our street. As traffic in our area increases it's blocking the  
view of on coming cars when I am backing out of my driveway. Also the  
tree sheds a lot of pine's and pinecones onto the street, and when the  
children get off of school I am afraid of them stepping wrong on a pinecone  
and injuring themselves.

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.

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

Wai Keong Ng  
\_\_\_\_\_  
Property Owner's Signature

9-30-2016  
\_\_\_\_\_  
Date

Google Maps NE Grandhaven St

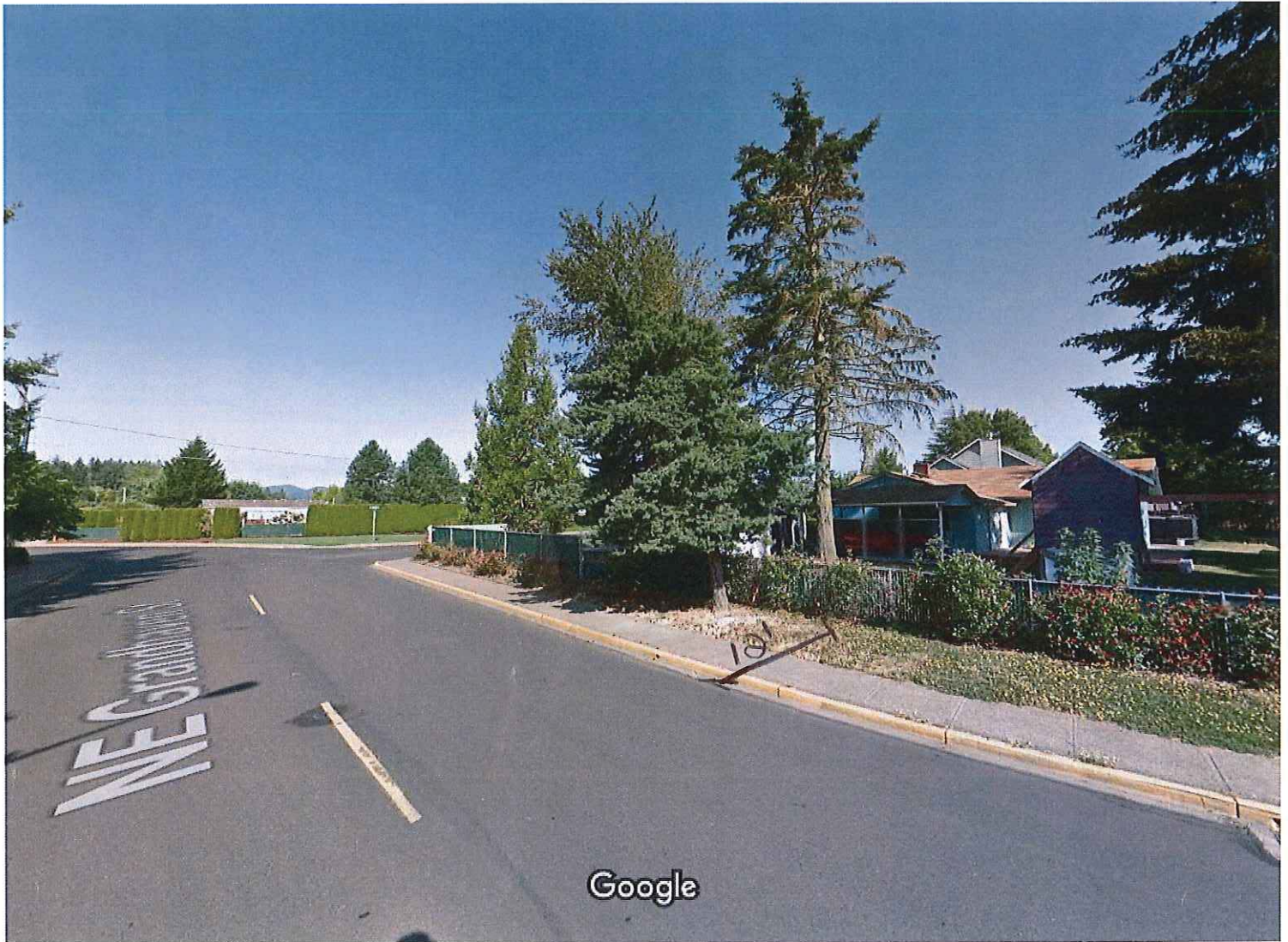


Image capture: Aug 2012 © 2016 Google

McMinnville, Oregon

Street View - Aug 2012







## Chuck Darnell

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**From:** Sarah Sullivan  
**Sent:** Wednesday, October 12, 2016 1:23 PM  
**To:** Chuck Darnell  
**Subject:** FW: Street Tree Removal  
**Attachments:** IMG\_0960.jpg; IMG\_0961.jpg

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**From:** David Renshaw  
**Sent:** Monday, October 10, 2016 3:46 PM  
**To:** Sarah Sullivan  
**Subject:** RE: Street Tree Removal

Hi Sarah, and thanks for the opportunity to comment. Our comments would be as follows:

### General observations

1. The tree is planted about 10' behind the curb, within the public right of way adjacent to 3004 NE Hembree.
2. The tree is approximately 30" DBH, and appears to be pine tree.
3. The tree is planted in a planter space between the back of the sidewalk and the property's fence.
4. The planter strip is along horizontal curve in the roadway (Grand Haven Street), on the westbound approach to Hembree. It blocks visibility of westbound traffic for south bound traffic off Hembree.

### Site Observations

1. There is a curbside sidewalks adjacent to the property on Grandhaven.
2. There are no overhead facilities conflicting with the tree.
3. The tree has not disrupted either the sidewalk or the curb/gutter.

### Tree Observations

1. There are no obvious health issues demonstrated that would require removal.
2. The tree appears to have a broken or severely bowed top.
3. The tree exhibits some minor die back.
4. In order to prune the tree to improve sight distance, the amount of canopy removed would be excessive.

### Recommendations:

1. Given the structural issues noted, and the impact of corrective pruning for sight distance at the intersection, we would recommend approval of this removal application.
2. Given the location of the planter strip along the existing horizontal curve, we would not recommend a replacement tree be planted in the existing planter strip.
3. Applicant to bear all costs associated with removal.
4. Applicant to grind stump a minimum of 6" below grade.
5. Applicant to call for utility locate prior to removal

Please let me know if you have any questions. Thanks.

---

**From:** Sarah Sullivan  
**Sent:** Tuesday, October 04, 2016 9:30 AM



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

503-434-7311  
[www.mcminnvilleoregon.gov](http://www.mcminnvilleoregon.gov)

## STAFF REPORT

**DATE:** October 6, 2016  
**TO:** Landscape Review Committee Members  
**FROM:** Chuck Darnell, Associate Planner  
**SUBJECT:** Agenda Item 4A: Overview of Landscaping & Tree Regulations

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### Report in Brief:

The purpose of this discussion item is to ensure that all Landscape Review Committee members are familiar with the Landscaping and Tree chapters of the McMinnville Zoning Ordinance.

### Background:

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

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

### Discussion:

Staff will provide a brief overview of the existing Landscaping and Tree chapters of the McMinnville Zoning Ordinance. Copies of these two chapters (Chapter 17.57 and Chapter 17.58) are attached for reference. Staff will provide suggestions of areas of the chapters that may need to be studied further for potential updates.

### Fiscal Impact:

None

### Recommendation/Suggested Motion:

No motion required. The Landscape Review Committee may provide guidance to staff if it is determined that areas of the Landscaping and Trees chapters should be studied further for potential updates.

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*Attachments:*  
*Chapter 17.57 – Landscaping (Exhibit 10)*  
*Chapter 17.58 – Trees (Exhibit 11)*

Chapter 17.57LANDSCAPINGSections:

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

17.57.010 Purpose and intent. The purpose and intent of this chapter is to enhance the appearance of the city by encouraging quality landscaping which will benefit and protect the health, safety, and welfare of the general public. By relating all the requirements of the zoning ordinance to the project in one review procedure, the review will assist the developer in integrating the uses of the property with the landscaping, will relate the project to surrounding property uses in existence or projected, and will attempt to minimize project costs. The landscaping provisions in Section 17.57.050 are in addition to all other provisions of the zoning ordinance which relate to property boundaries, dimensions, setback, vehicle access points, parking provisions and traffic patterns. The landscaping objectives shall also seek to accomplish the purposes set forth in Section 17.03.020. (Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

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

17.57.030 Plans—Submittal and review—Approval—Time limit for completion.

- A. At the time the applicant applies for a building permit, he shall submit, for the Landscape Review Committee, five copies of a landscaping and plot plan. If the plot plan and landscaping plan are separate documents, five copies of each shall be submitted. These may be submitted to the Building Department to be forwarded to the Planning Department.
  - 1. The applicant will receive approval solely for the landscaping plan prior to applying for a building permit, if he submits the above documents for review in accordance with these provisions. No building permit shall be issued until the landscaping plan has been approved.

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

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

- A. Existing locations of trees over six inches in diameter, their variety (common or botanical name) and indication of whether they are to remain or to be removed from the site. In the event a large number of trees are to be

- retained, the general area with the number of trees involved may be given in lieu of listing and locating each tree;
- B. The location in which new plantings will be made and the variety (common or botanical name), and size of all new trees, shrubs, groundcover and lawns;
  - C. The percentage of the gross area to be landscaped;
  - D. Any equipment proposed for recreation uses;
  - E. All existing and proposed site features including walkways, graveled areas, patios, courts, fences, decks, foundations, potted trees, or other open spaces so that the review committee may be fully knowledgeable of the project when discussing the application;
  - F. All of the information on the plot plan for the building permit. (Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

17.57.050 Area Determination—Planning factors.

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

- |    |  |   |                              |   |                   |
|----|--|---|------------------------------|---|-------------------|
| a. | ALC (additional<br><u>lot coverage</u><br>ELC (existing<br>lot coverage) | X | % of landscaping<br>required | X | Total<br>lot area |
|----|--|---|------------------------------|---|-------------------|
- b. Landscaping to be installed on an addition or expansion may be spread over the entire site (original and addition or expansion projects) with the approval of the review committee;
- B. The following factors shall be considered by the applicant when planning the landscaping in order to accomplish the purpose set out in Section 17.57.010. The Landscape Review Committee shall have the authority to deny an application for failure to comply with any or all of these conditions:
1. Compatibility with the proposed project and the surrounding and abutting properties and the uses occurring thereon.
  2. Screening the proposed use by sight-obscuring, evergreen plantings, shade trees, fences, or combinations of plantings and screens.
  3. The retention of existing trees and natural areas that may be incorporated in the development of the project. The existing grade should be preserved to the maximum practical degree. Existing trees shall be provided with a watering area equal to at least one-half the crown area.
  4. The development and use of islands and plantings therein to break up parking areas.
  5. The use of suitable street trees in the development of new subdivisions, shopping centers and like developments. Certain trees shall be prohibited in parking areas: poplar, willow, fruit, nut, birch, conifer, and ailanthus.
  6. Suitable watering facilities or irrigation systems must be included in or near all planted areas;
- C. All landscaping approved through the Landscape Review Committee shall be continually maintained, including necessary watering, weeding, pruning, mowing, and replacement. (Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

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

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

17.57.065 Specific uses requiring landscaping.

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

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

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

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

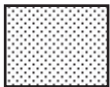
- A. The review committee shall be appointed by the Common Council while meeting in regular session and shall consist of three members and two alternate members. At such time as the ordinance codified in this chapter is enacted, the Common Council shall, at a regularly scheduled meeting, appoint a review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

17.57.090 Credit for work in public right-of-way. The review committee may grant an applicant credit for landscaping done in the public right-of-way provided that if at any time in the future the right-of-way is needed for public use, any landscaping removed from the right-of-way must be replaced on the subject site. The review committee shall consider the need for future use of the right-of-way for street or utility purposes before granting credit under this section. (Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

17.57.100 Appeal—Planning Commission to act when.

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

## REDUCED LANDSCAPING REQUIREMENTS



No Required Landscaping



One-Half Required Landscaping

Chapter 17.58TREES

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

Sections:

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

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

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

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

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

17.58.040 Tree Removal/Replacement

- A. The removal or major pruning of a tree within the public right-of-way shall require City approval, unless specifically designated as exempt by this ordinance. Persons wishing to remove or prune such trees shall file an

application for a permit with the McMinnville Planning Department. The applicant shall include information describing the location, type, and size of the subject tree or trees, and the reasons for the desired action. Requests for tree removal or pruning of trees outside of the downtown tree zone shall be forwarded to the McMinnville Landscape Review Committee for a decision within fifteen days of submittal. Requests for tree removal within the downtown tree zone shall be submitted to the McMinnville Planning Department. Such requests shall be acted upon as soon as practicable, with consideration given to public safety, value of the tree to the public, and work schedules. The Planning Director or his designee should attempt to make decisions on such requests within five calendar days of submittal. The Landscape Review Committee or Planning Director, as appropriate, may approve, approve with conditions, or deny the request based on the criteria stated in Section 17.58.050. A decision of the committee or Director may be appealed to the Planning Commission if notice of intent to appeal is filed with the Planning Department within five days of the committee's or Director's decision. A decision made by the Planning Director in response to a request to remove an unsafe tree, or a tree causing repeated and excessive damage to sidewalks or other public or private improvements or structures shall be final, unless appealed by the applicant; no other party shall have standing to appeal.

- B. Trees subject to this ordinance shall be removed or pruned following accepted pruning standards adopted by the City. The Planning Director, after consultation with appropriate city staff and/or a certified arborist, shall direct removal of downtown trees that are identified in a current downtown tree zone inventory assessment as unhealthy, dangerous to the public, inappropriate for the downtown area, or otherwise in need of removal.
- C. The applicant shall be responsible for all costs associated with the tree removal or pruning, or as otherwise required by this ordinance, and shall ensure that all work is done in a manner which ensures safety to individuals and public and private property.
- D. Approval of a request to remove a tree may be conditioned upon replacement of the tree with another tree approved by the city, or a requirement to pay to the city an amount sufficient to fund the planting and establishment by the city of a tree, or trees, of similar value. The value of the existing tree to be removed shall be calculated using the methods set forth in the edition then in effect of the "Guide for Plant Appraisal" published by the International Society of Arboriculture Council of Tree Landscape Appraisers.
- E. The applicant is responsible for grinding stumps and surface roots at least six inches below grade. At least a two inch thick layer of topsoil shall be placed over the remaining stump and surface roots. The area shall be crowned at least two inches above the surrounding grade to allow for settling and shall be raked smooth. The applicant shall restore any damaged turf areas and grades due to vehicular or mechanical operations. The area shall be re-seeded.
- F. Other conditions may be attached to the permit approval by the McMinnville Landscape Review Committee as deemed necessary.

- G. The pruning and removal of street trees within the downtown tree zone shall be the responsibility of the City, and shall be undertaken at public expense.
- H. Specific design drawings and specifications shall be developed for the planting of street trees within the downtown tree zone, and shall be made readily available to all property owners undertaking sidewalk construction, reconstruction or modifications. Such design specifications may include tree root barriers, watering tubes or structures, and removable pavers, and shall graphically describe the proper method for planting trees within the downtown tree zone to minimize the potential for sidewalk / tree root conflict.
- I. The City shall adopt implementation measures that cause, through rotation over time, the development of a variable aged stand of trees within the downtown tree zone. In order to implement this policy, the Planning Director shall authorize, but shall limit, annual tree removal within the downtown to no more than three (3) percent of the total number of existing downtown trees in the downtown tree zone. (Ord. 4816 §2, 2004; Ord. 4654B §1, 1997).

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

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

17.58.060 Permit Exemptions.

- A. Hazardous Tree - If an imminent danger exists to the public or any private property owner or occupant, the City may issue an emergency removal permit. The removal shall be in accordance with International Society of Arboriculture (ISA) standards.
- B. Maintenance - Regular pruning maintenance which does not require the removal of over 20 percent of the tree's canopy, tree topping, or the disturbance of over 10 percent of the tree's root system is exempt from the provisions of this ordinance.
- C. Removal of downtown trees at the direction and initiative of the City Planning Director. (Ord. 4816 §2, 2004; Ord. 4654B §1, 1997).

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

17.58.075 Protection of Trees

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

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

17.58.090 Street Tree Standards.

- A. The species of the street trees to be planted shall be chosen from the approved street tree list unless approval of another species is given by the McMinnville Landscape Review Committee.
- B. Street trees shall be a minimum of two (2) inches in caliper measured at six (6) inches above ground level. All trees shall be healthy grown nursery stock with a single straight trunk, a well developed leader with tops and roots characteristic of the species cultivar or variety. All trees must be free of insects, diseases, mechanical injury, and other objectionable features when planted.
- C. Small or narrow stature trees (under 25 feet tall and less than 16 feet wide branching) should be spaced no greater than 20 feet apart; medium sized trees (25 feet to 40 feet tall, 16 feet to 35 feet wide branching) should be spaced no greater than 30 feet apart; and large trees (over 40 feet tall and more than 35 feet wide branching) should be spaced no greater than 40 feet

apart. Within residential developments, street trees should be evenly spaced, with variations to the spacing permitted as approved by the City for specific site limitations and safety purposes. Within commercial and industrial development staggered, or irregular spacing is permitted, as may be approved by the McMinnville Landscape Review Committee. When planting replacement trees within the downtown tree zone, consideration shall be given to the height of adjacent buildings.

- D. When located adjacent to a local residential street or minor collector street, street trees shall be planted within a curbside landscape strip measuring a minimum of three (3) feet in width. Street trees adjacent to major collector streets or arterial streets shall be placed a minimum of four (4) feet from the back edge of the sidewalk. In no case shall a tree be planted closer than two and one-half (2 1/2) feet from the face of a curb.
- E. Street trees shall not be planted within ten (10) feet of fire hydrants, utility poles, sanitary sewer, storm sewer or water lines, or within twenty (20) feet of street light standards or street intersections, or within five (5) feet of a private driveway or alley. New utility poles shall not be located within five (5) feet of an existing street tree. Variations to these distances may be granted by the Public Works Director and as may be required to ensure adequate clear vision.
- F. Existing street trees shall be retained unless approved by the Planning Director for removal during site development or in conjunction with a street construction project. Sidewalks of variable width and elevation may be utilized as approved by the Planning Director to save existing street trees. Any street tree removed through demolition or construction within the street right-of-way, or as approved by the City, shall be replaced within the street right-of-way at a location approved by the city with a tree, or trees, of similar value. As an alternative the property owner may be required to pay to the City an amount sufficient to fund the planting and establishment by the city of a tree of similar value. The value of the existing street tree to be removed shall be calculated using the methods set forth in the edition then in effect of the "Guide for Plant Appraisal" published by the International Society of Arboriculture Council of Tree Landscape Appraisers. The developer or applicant shall be responsible for the cost of the planting, maintenance and establishment of the replacement tree.
- G. Sidewalk cuts in concrete for tree planting shall be a minimum of four feet by six feet, with the long dimension parallel to the curb, and if located within the downtown tree zone shall follow the design drawing, or modified design, approved by the Planning Director.
- H. Street trees, as they grow, shall be pruned to provide at least eight (8) feet of clearance above sidewalks and thirteen (13) feet above local streets, fifteen (15) feet above collector streets, and eighteen (18) feet above arterial streets. This provision may be waived in the case of newly planted trees so long as they do not interfere with public travel, sight distances, or endanger public safety as determined by the City.
- I. Maintenance of street trees, other than those located in the downtown tree zone shall be the continuing obligation of the abutting property owner. The City shall undertake regular maintenance of street trees within the

downtown tree zone in accordance with appropriate horticultural practices including pruning and fertilizing to properly maintain the health of such trees. (Ord. 4816 §2, 2004; Ord. 4654B §1, 1997).

17.58.100 Street Tree Plans

A. Submittal.

1. Subdivisions and Partitions: Street tree planting plans shall be submitted to the Landscape Review Committee for review and approval prior to the filing of a final subdivision or partition plat.
2. Commercial, Industrial, Parking Lots, and Multi-family Residential Development: Landscape plans, to include street tree planting as may be required by this ordinance, shall be submitted to the Landscape Review Committee for review and approval prior to the issuance of a building permit.

B. Street Tree Plan Content. At a minimum, the street tree planting plan should:

1. Indicate all existing trees, noting location, species, size (caliper and height) and condition;
2. Indicate whether existing trees will be retained, removed or relocated;
3. Indicate the measures to be taken during site development to ensure the protection of existing trees to be retained;
4. Indicate the location, species, and size (caliper and height) of street trees to be planted;
5. Indicate the location of proposed and existing utilities and driveways; and
6. Indicate the location of rights-of-way, existing structures, driveways, and existing trees including their species, size, and condition, within twenty feet of the subject site. (Ord. 4654B §1, 1997).

17.58.110 Street Tree Planting

A. Residential subdivisions and partitions.

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

B. Commercial, Industrial, Multi-family, Parking Lot Development.

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

17.58.120 Street Tree Maintenance. Street trees shall be continually maintained, including necessary watering, weeding, pruning and replacement, by the developer or property owner for one full growing season following planting, or as may be required by the City. (Ord. 4654B §1, 1997).



**CITY OF MCMINNVILLE  
PLANNING DEPARTMENT**  
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## STAFF REPORT

**DATE:** October 19, 2016  
**TO:** Landscape Review Committee Members  
**FROM:** Chuck Darnell, Associate Planner  
**SUBJECT:** Agenda Item 4B: Overview of Approved Tree List and Tree Planting Detail

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### Report in Brief:

The purpose of this discussion item is to ensure that all Landscape Review Committee members are familiar with the approved McMinnville Street Tree list and the Tree Planting Detail that is often provided for applicants that are required to install a replacement tree after a street tree removal.

### Background:

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

The trees included in the list of conditionally permitted street trees may only be permitted with approval of the Landscape Review Committee, and only in particular situations. The trees listed on the prohibited list are not permitted, and are on the list because they have characteristics such as invasive root systems or being subject to disease or insects.

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

### Discussion:

Staff will provide a brief overview of the existing Landscaping and Tree chapters of the McMinnville Zoning Ordinance. Copies of the McMinnville Street Tree List (Resolution 2016-22) and the Street Tree Planting Details are attached for reference.

### Fiscal Impact:

None

### Recommendation/Suggested Motion:

No motion required.

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*Attachments:*  
*Resolution 2016-22 – McMinnville Street Tree List (Exhibit 13)*  
*Street Tree Planting Detail (Exhibit 14)*

RESOLUTION NO. 2016 - 22

A Resolution establishing a recommended, conditionally permitted, and prohibited street tree list for the City of McMinnville.

## RECITALS:

WHEREAS, Section 17.58.090 (Street Tree Standards) of the McMinnville Zoning Ordinance requires that, except where approved by the Landscape Review Committee, the species of street trees to be planted within public rights-of-way -shall be chosen from an approved street tree list; and,

WHEREAS, to satisfy this requirement, City staff has prepared such a list (Exhibit "A"), which has been subsequently reviewed by the McMinnville Landscape Review Committee, the Oregon Department of Forestry, and McMinnville Water and Light, all of whom are in support of the proposed list; and,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF McMINNVILLE, OREGON AS FOLLOWS:

The "McMinnville Street Tree List", attached as Exhibit "A," is hereby approved as the guiding document in the selection of street trees for planting within public rights-of-way in McMinnville.

Adopted by the McMinnville City Council at a regular meeting held the 10<sup>th</sup> day of May 2016 by the following votes:

Ayes: Drabkin, Hill, Jeffries, Menke, Ruden, Yoder

Nays: \_\_\_\_\_

Approved this 10<sup>th</sup> day of May 2016.

  
\_\_\_\_\_  
MAYOR

Approved as to form:

  
\_\_\_\_\_  
CITY ATTORNEY

## Exhibit “A”

### **McMinnville Street Tree List**

#### **Recommended, Conditionally Permitted, and Prohibited Street Trees**

Section 17.58.090 (Street Tree Standards) of the McMinnville Zoning Ordinance notes that the species of street trees to be planted in McMinnville shall be chosen from the “approved street tree list” unless approval of another species is given by the McMinnville Landscape Review Committee. The purpose of this document is to provide such a list for use by those proposing to plant trees within the public rights-of-way of McMinnville.

Within the McMinnville Zoning Ordinance, street trees are defined as “*a living, standing woody plant typically having a single trunk at least 1.5 inches in diameter at a point six inches above mean ground level at the base of the trunk that is located within the street right-of-way.*” Such trees are regulated by the standards put forth in Chapters 17.57 (Landscaping) and 17.58 (Trees) of the McMinnville Zoning Ordinance; further guidelines regarding their use and placement are provided in this document.

In general, McMinnville’s street trees should have the following characteristics:

- Single trunked to allow for adequate vision clearance;
- Growth characteristics that allow for the lower branching to be maintained at a minimum of eight feet above grade to allow for adequate vision and pedestrian clearance;
- Non-columnar to provide the maximum amount of tree canopy (some exceptions);
- Relatively deeper rooting system to protect sidewalks, lawns, and utilities;
- Not brittle or weak-wooded;
- Deciduous;
- Do not drop excessive amounts of litter (fruits, nuts), have thorns, or excessive sap; and
- Not listed as a prohibited tree.

The street trees recommended below were selected for their general adherence to these basic principles. It is important to note, however, that each site is unique and

while in most cases these trees will be appropriate, at other times they may not be due to soil conditions, drainage, specific cultivar, streetscape design considerations, vertical and horizontal space availability, or the presence of nearby utilities and structures. In those cases, alternate species may be permitted or required by the Landscape Review Committee.

This list is subject to modification as additional observations are made regarding growth characteristics of tree varieties within street tree conditions, as well as with the introduction of new and appropriate cultivars.

When considering tree spacing, please note that the spacing noted below are maximums. The purpose of the street tree ordinance is, in part, to “establish and maintain the maximum amount of tree cover on public and private lands in the City.” This objective is taken into consideration when reviewing specific tree variety spacing, especially concerning more columnar varieties where closer spacing may be required.

### **RECOMMENDED STREET TREES –**

The following tree species are generally acceptable for use as street trees:

#### **Small Trees**

Typically:

- Small or narrow stature trees (less than 25 feet in height).
- Minimum planting strip width: four feet.
- Spaced to provide a continuous canopy at maturity.
- Appropriate for planting underneath overhead utility lines.

#### **Cherries and Plums**

Flowering Cherry (varieties such as: Okame, Akebono, Accolade, Rosea, and Mt Fuji)	Prunus sargentii
Flowering Plum (varieties such as: Thundercloud, Allred, Mt. St. Helens)	Prunus x blireiana

#### **Maples**

Tartarian Maple	Acer tataricum
Trident Maple	Acer buergeranum
Japanese Maple (varieties over 20' tall)	Acer palmatum

#### **Other**

Flowering Dogwood	Cornus florida/kousa
Forest Pansy Redbud	Cercis canadensis 'Forest Pansy'
Japanese Tree Lilac	Syringa reticulata
Tall Stewartia	Stewartia monadelph

## Medium Trees

Typically:

- Mature height of 25-40 feet
- Minimum planting strip width: five feet.
- Spaced to provide a continuous canopy at maturity.

### Cherries and Pears

Flowering Pear (varieties such as Capital, Aristocrat, Redspire, Trinity)	<i>Pyrus calleryana</i>
Flowering Cherry (varieties such as Kwanzan, Royal Burgundy, Yoshino)	<i>Prunus serrulata</i>
Sargent Cherry	<i>Prunus sargentii</i>

### Maples

Norway Maple (varieties such as Cleveland, Crimson King, Deborah)	<i>Acer platanoides</i>
David's Maple	<i>Acer davidii</i>
Hedge Maple	<i>Acer campestre</i>
Red Maple (varieties such as Red Sunset, October Glory, Autumn Spire)	<i>Acer rubrum</i>

### Other

American Hophornbeam	<i>Ostrya virginiana</i>
Eastern Redbud	<i>Cercis canadensis</i>
European Hornbeam	<i>Carpinus betulus</i>
Goldenrain Tree	<i>Koelreuteria paniculata</i>
Honeylocust (thornless variety)	<i>Gleditsia triacanthos</i> 'inermis'
Jacquemontii Birch	<i>Betula jacquemontii</i>
Japanese Snowbell	<i>Styrax japonicus</i>
Pacific Dogwood	<i>Cornus nuttallii</i>
Tricolor Beech	<i>Fagus sylvatica</i> 'Tricolor'
Yellow Wood	<i>Cladrastis lutea</i>

## Large Trees

Typically:

- Large trees with mature height over 40 feet.
- Minimum planting strip width: six feet.
- Spaced to provide a continuous canopy at maturity.

### Other

Accolade Elm	<i>Ulmus japonica</i> 'Morton'
Bur Oak	<i>Quercus macrocarpa</i>
Chinese Elm, Alee and Athena Classic	<i>Ulmus parvifolia</i> 'Emer I' and 'Emer II'
Chinese Pistache	<i>Pistachia chinensis</i>

Ginkgo (male variety)  
 Hackberry  
 Japanese Pagoda Tree  
 Katsura Tree  
 Sawleaf Zelkova  
 Tulip tree

Ginkgo biloba  
 Celtis occidentalis  
 Sophora japonica  
 Cercidiphyllum japonica  
 Zelkova serrata  
 Liriodendron tulipifera

### **CONDITIONALLY PERMITTED STREET TREES –**

The following trees are not generally recommended for use as street trees in that they may exhibit one or more of the following characteristics:

1. Invasive root systems;
2. Weak wood;
3. Branch patterns that cause visibility issues; or
4. Susceptible to insect damage.

Use of these trees may be permitted under special circumstances and only after approval is granted by the Landscape Review Committee and only if the problems are satisfactorily met and accepted by the owner, and so noted on the approved plan.

Big leaf maple	Acer macrophyllum – Very large
Birches	Betula spp – Low branching, invasive roots, susceptible to aphids
Black Tupelo	Nyssa sylvatica – Female varieties have small fruit
Box Elder	Acer Negundo – Subject to wind damage
Conifers	Needles, low branching
Elm, DED resistant	Ulmus – Susceptible to pests and storm damage
European Beech	Fagus sylvatica – Some nuts, surface roots
Kentucky Coffee Tree	Gymnocladus dioica – Litter
Lindens	Tilia, spp- Susceptible to aphids
London Plane Tree	Platanus acerifolia – Large seed pods, aggressive roots
Magnolia	Magnolia virginiana/soulangiana – Litter
Mountain ash	Sorbus aucuparia – Litter
Pin Oak	Quercus palustris – Low branching
Red Alder	Alnus rubra – Short lived, brittle, pest prone
Scarlet Oak	Quercus coccinea – Nuts
Shumard Oak	Quercus shumardii – Nuts
Silk Tree	Albizia julibrissi – Litter, aggressive roots
Silver Maple	Acer saccharinum – Subject to wind damage, large surface roots
Sycamore	Platanus acerifolia – Aggressive roots, prone to disease

### **PROHIBITED STREET TREES –**

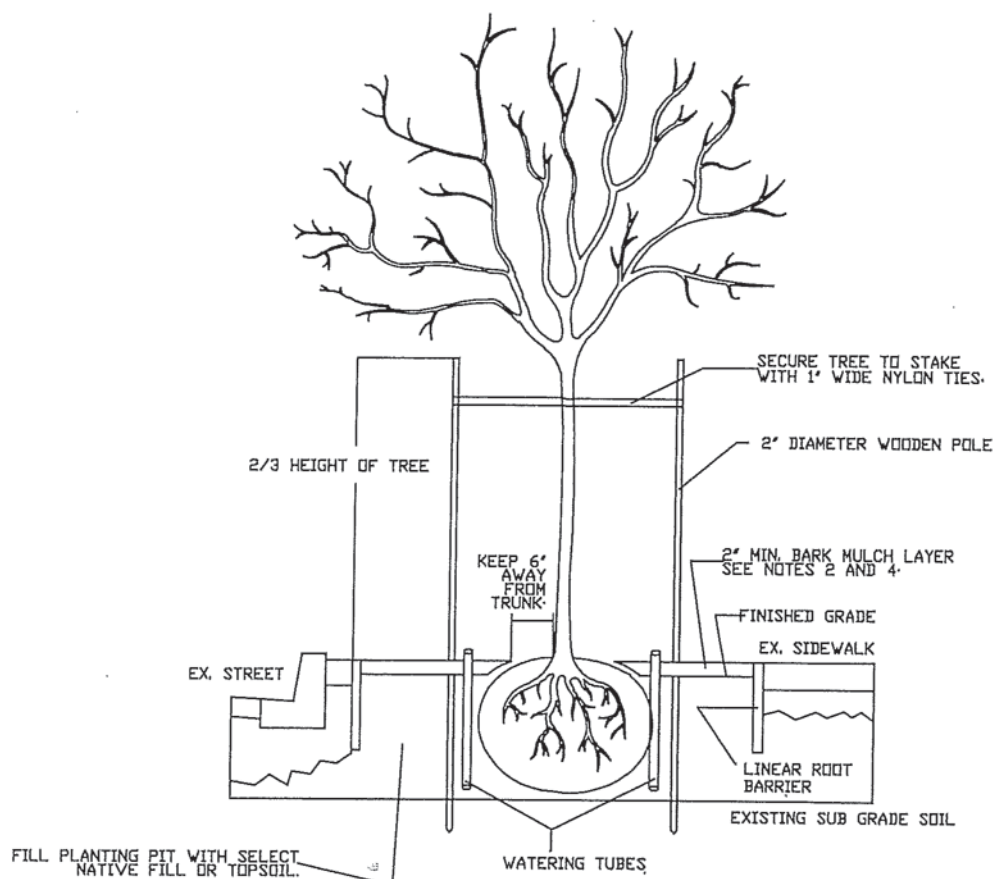
The following trees exhibit one or more of the following characteristics and are therefore not permitted as street trees:

1. Low or weeping branches which cause visibility problems;
2. Invasive root system which may damage underground utilities;
3. Subject to disease or insects;
4. Poisonous; or
5. Fruit drop which causes messy sidewalks and pavement.

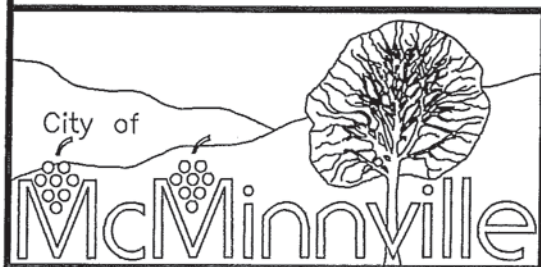
Ash	Emerald ash borer disease
Catalpas	Catalpa spp
Cottonwoods, Poplars, Aspens	Populus spp
Fruit trees	All commercial and large fruiting varieties
Ginkgo (female variety)	Ginkgo biloba
Goldenchain Tree	Laburnum watererii
Hawthorns	Crataegus spp
Locusts	Robinia spp
Nut trees	All commercial and fruiting varieties
Pin Oak	Quercus palustris
Sweetgums	Liquidambar spp
Tree-of-Heaven	Ailanthus
Willows	Salix spp

## TREE PLANTING IN DOWNTOWN DETAIL

## SECTION



1. DIG PLANTING PIT TO FIT PLANTER. DIG NO DEEPER THAN THE DEPTH OF THE ROOTBALL.
2. SET ROOTBALL ON FIRM SURFACE. PLACE ROOT FLARE SLIGHTLY BELOW SIDEWALK GRADE TO ALLOW FOR TOP OF MULCH AT SIDEWALK GRADE.
3. BACKFILL WITH SELECT NATIVE SOIL OR TOPSOIL.
4. MULCH WITH BARK TO A MIN. DEPTH OF 2". KEEP MULCH 6" AWAY FROM TRUNK.
5. ON BALLED AND BURLAP TREES, CUT & PEEL AWAY WIRE FRAME FROM ROOTBALL. LEAVE BURLAP AND FRAME IN PLANTING HOLE.
6. INSTALL ROOT BARRIER PROTECTION ON SIDEWALK AND STREET SIDE OF PLANTER. SHALL BE A MINIMUM 18" DEEP COMMERCIALY ENGINEERED ROOT BARRIER PANEL, "BIO-BARRIER," OR APPROVED EQUAL.
7. INSTALL TWO (2) 4" X 36" CORRUGATED PLASTIC DEEP WATERING TUBES ON EITHER SIDE OF TREE.



MCMINNVILLE PUBLIC WORKS DIVISION  
STREET TREE PLANTING DETAIL-  
DOWNTOWN

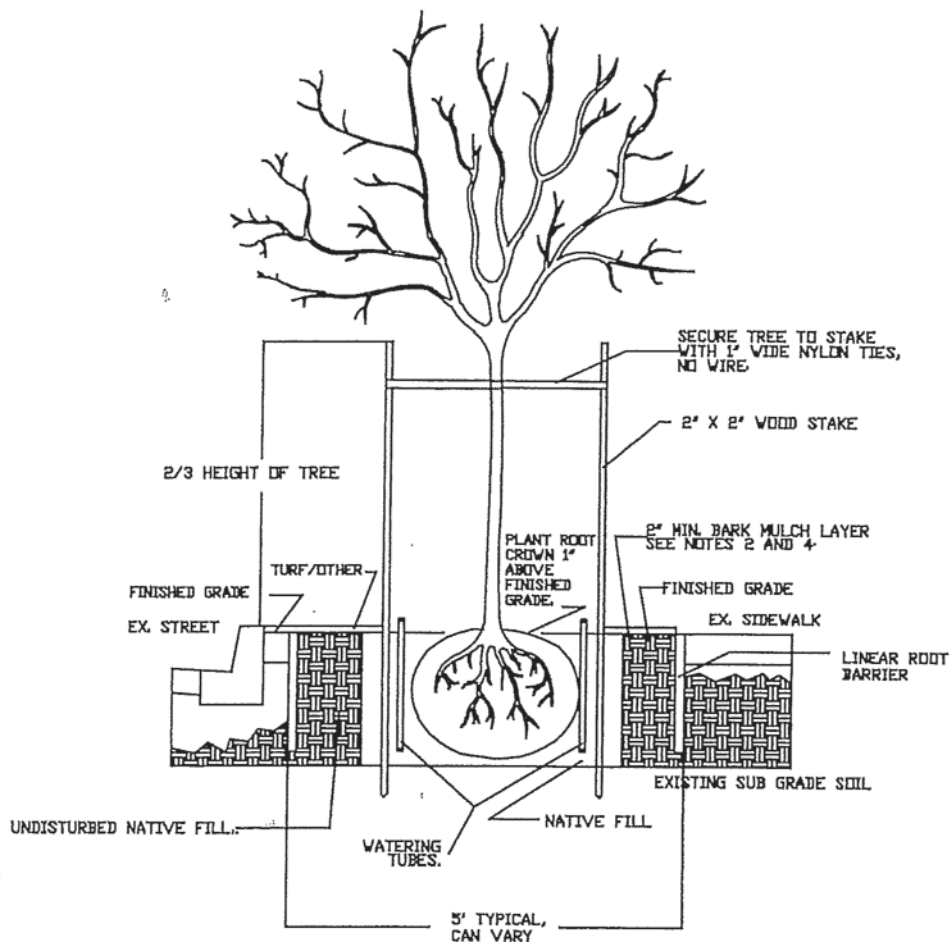
NOT TO SCALE

DATE:  
MAY 2014

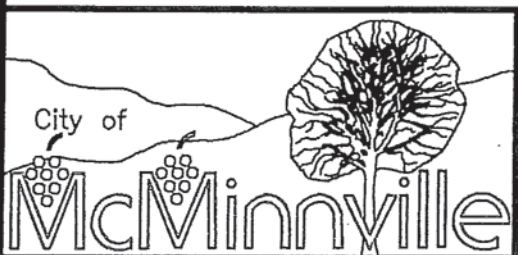
DRAWING NO. 34A

# TREE PLANTING IN PARKWAY DETAIL

## SECTION



1. PLANTING PIT EX ROOTBALL WIDTH.
2. DIG PLANTING PIT NO DEEPER THAT ROOTBALL.
3. BACKFILL WITH NATIVE MATERIAL.
4. LINEAR ROOT BARRIER: COMMERCIALY ENGINEERED, 24" WIDE X 18" DEEP.
5. ON BALLED AND BURLAP TREES, CUT & PEEL AWAY WIRE FRAME FROM ROOTBALL, LEAVE BURLAP AND FRAME IN PLANTING HOLE.



MCMINNVILLE PUBLIC WORKS DIVISION  
PARKWAY TREE PLANTING DETAIL-

NOT TO SCALE

DATE:

MAY 2014

DRAWING NO.

34B