



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

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

**Landscape Review Committee**  
**ZOOM Online Meeting**  
**Thursday, December 2, 2021: 12:00 – 1:00 PM**

*Please note that this meeting will be conducted via ZOOM meeting software due to the COVID-19 event.*

**Join ZOOM Meeting online via the following link:**

<https://mcminnvilleoregon.zoom.us/j/84397501533?pwd=elZPRFZyeGEzRWQ5ZGExUFVlWndmZz09>

Meeting ID: 843 9750 1533  
Passcode: 915006

**Or join ZOOM Meeting by phone via the following number: 1-253-215-8782**

Committee Members	Agenda Items
John Hall, Chair	<b>1. Call to Order</b>
Rob Stephenson, Vice-Chair	<b>2. Citizen Comments</b>
Josh Kearns	<b>3. Action Items</b> <ul style="list-style-type: none"><li>L 18-21 – Landscape Plan Review – <i>(Exhibit 1)</i> 915 NE Lafayette Avenue</li></ul>
Patty Sorensen	<b>4. Discussion Items</b> <ul style="list-style-type: none"><li>Development Code Revisions <i>(Exhibit 2)</i></li></ul>
Carlton Davidson	<b>5. Committee Member Comments</b>
	<b>6. Staff Comments</b>
	<b>7. Adjournment</b>

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

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





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## EXHIBIT 1 - STAFF REPORT

DATE: December 2, 2021  
TO: Landscape Review Committee Members  
FROM: Amy Dixon, Contract Planner  
SUBJECT: Landscape Plan Review Application (L 18-21)

### 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

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### Report in Brief:

This proceeding is a review by the Landscape Review Committee of an application for a landscape plan (Docket L 18-21) seeking approval of a landscape plan for a new pediatric dentist office located at 915 NE Lafayette Avenue in the NE Gateway District. Staff has reviewed the application for consistency with the applicable criteria, and recommends approval of the application, subject to the conditions specified in the attached Decision Document

At the October 20, 2021 meeting of the LRC, the Committee continued the application to allow the applicant to submit revised plans to address issues identified by the Committee. The issues identified included reflecting the scale and size of plants and boulders on the landscape plan, the proposed plant selection buffering the solid waste enclosure and the treatment of street tree on Lafayette Avenue.

The applicant has provided revised plans reflecting the scale of plants and boulders and the proposed plant selection screening the solid waste enclosure. The City is still meeting internally to clarify the requirements of the street trees on Lafayette Avenue and will bring that information to the meeting on December 2, 2021.

### Background:

The applicant, Sarah P. Post, property owner, submitted a landscape plan review application associated with a Northeast Gateway Design Review. The application requests approval of a landscape plan for the development.

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#### Attachments:

Attachment A – Application Materials

Attachment B - Decision, Conditions, Findings Of Fact And Conclusionary Findings For The Approval Of A Landscape Plan Review at 1031/1039 NE Lafayette Avenue

The subject property is located at 915 NE Lafayette Avenue which is at the corner of Lafayette Avenue and 9<sup>th</sup> Avenue. The subject site is also identified as Tax Lot 02700, Section 21, T. 4 S., R. 4 W., W.M. **See Figure 1 (Vicinity Map).** The property is zoned C-3PD (General Commercial Planned Development), and is located within Zone 2 of the Northeast Gateway Planned Development Overlay. **See Figure 2 (Zoning Map).**

The subject property and adjacent properties are within the Northeast Gateway District. The goal of the Northeast Gateway Planned Development Overlay is to guide the transition of the area to a vital, mixed-use, pedestrian-friendly neighborhood. The property is currently undeveloped. All surround properties are developed with single-family dwellings. Adjacent properties to the northeast and southwest (along Lafayette Avenue) are commercially zoned. Northwest of the subject site, adjacent properties are commercially zoned. Southeast of the subject site across Lafayette Avenue is residential zoned.

The proposed site plan for a pediatric dentist office is fronting on NE Lafayette Avenue and NE 9<sup>th</sup> Avenue rights-of-way. Off-street parking for 8 vehicles is located to the northeast portion of the building and 4 off-street parking space on the Northwest portion of the building abutting the alley. As part of the Northwest Gateway Planned Development review approval, heavy landscaping between the parking and the right-of-way along Lafayette Avenue was required. A trash and recycling enclosure is located behind the building on the southwestern corner of the site. The landscape plan addresses landscaping for the site, and street trees in the adjacent right-of way. **See Figure 3 (Landscape Plan) and Figure 4 (Plant Schedule).**

**Figure 1: Vicinity Map**

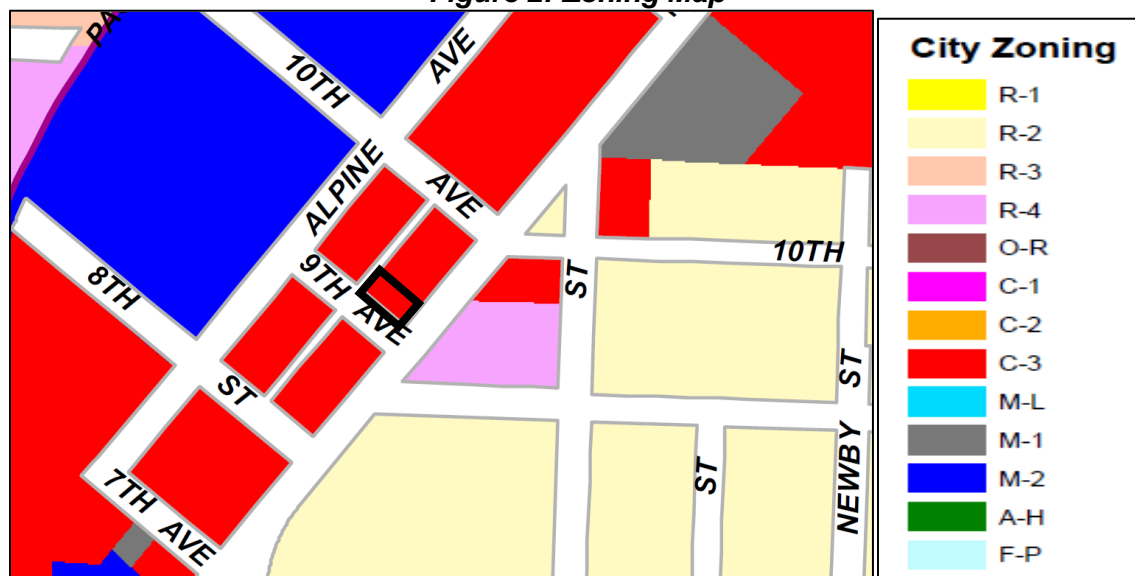


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**Attachments:**

Attachment A – Decision, Conditions, Findings Of Fact And Conclusionary Findings For The Approval Of A Landscape Plan  
Review at 915 NE Lafayette Avenue

Attachment B – Application Materials

**Figure 2: Zoning Map**

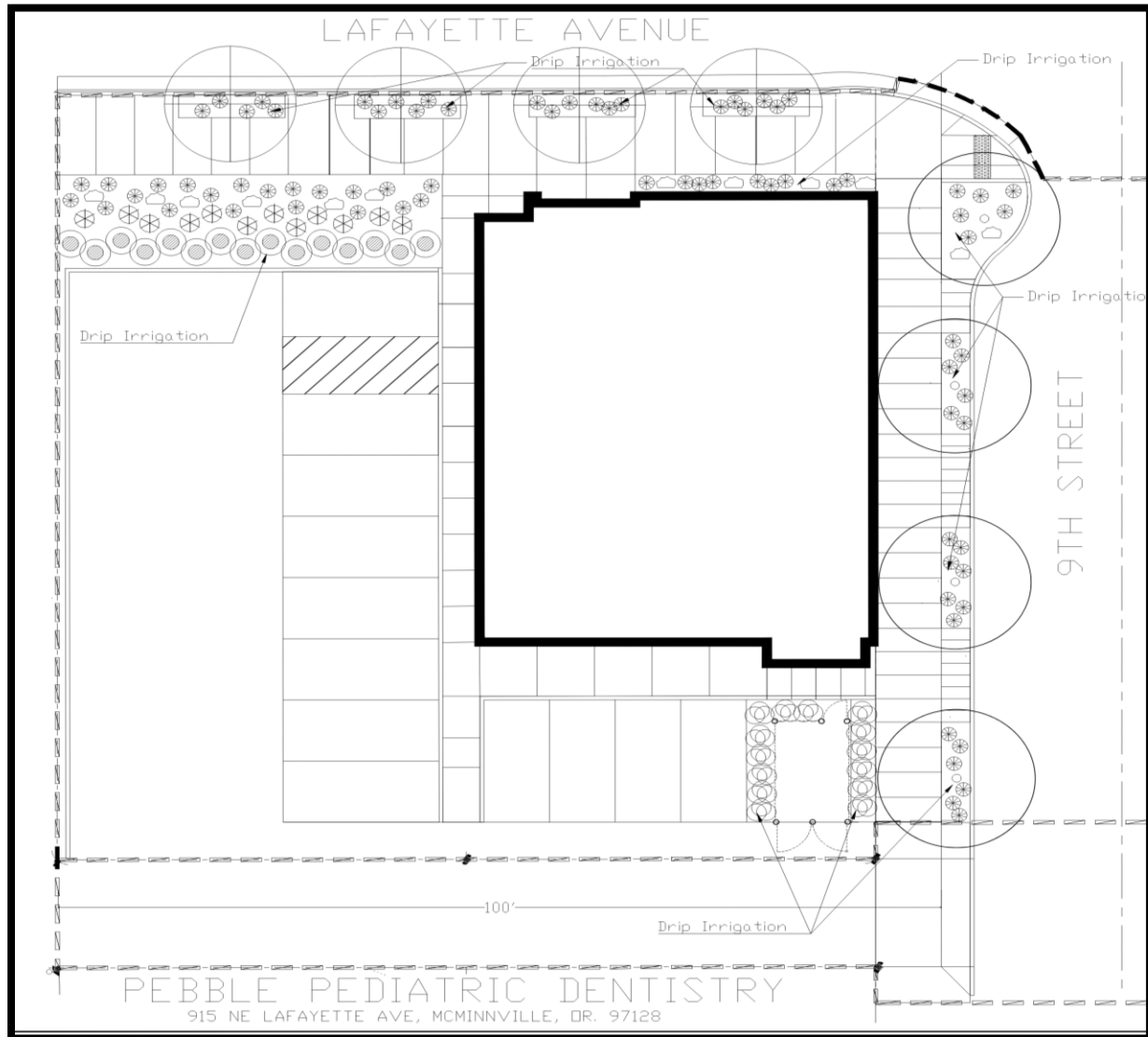
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**Attachments:**

Attachment A – Decision, Conditions, Findings Of Fact And Conclusionary Findings For The Approval Of A Landscape Plan Review at 915 NE Lafayette Avenue

Attachment B – Application Materials

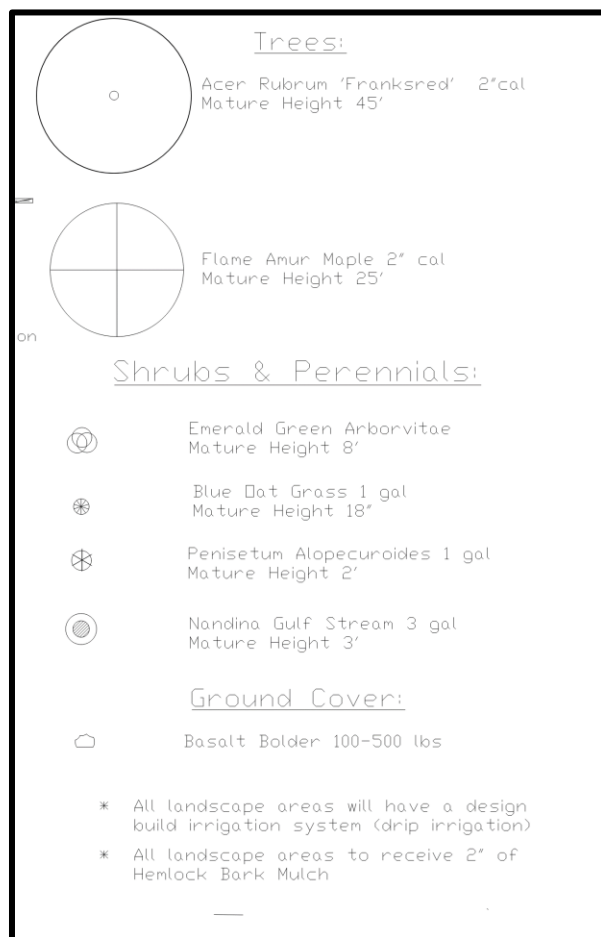
**Figure 3: Proposed Landscape Plan – November 7, 2021**



**Attachments:**

Attachment A – Decision, Conditions, Findings Of Fact And Conclusionary Findings For The Approval Of A Landscape Plan Review at 915 NE Lafayette Avenue

Attachment B – Application Materials

**Figure 4: Proposed Plant Schedule– November 7, 2021****Discussion:**

Decisions and/or recommendations for land-use applications are dependent upon whether or not the applications meet state regulations, the McMinnville Comprehensive Plan and the McMinnville Municipal Code (MMC). The application can either meet these criteria as proposed, or a condition of approval can be provided that either outlines what needs to occur to meet the criteria or when something needs to occur to meet the criteria. Attached is the decision document that provides the Findings of Fact and Conclusionary Findings for the land-use application. This document outlines the legal findings on whether or not each application meets the applicable criteria and whether or not there are conditions of approval that if achieved put the application in compliance with the criteria.

**Applicable Review Criteria**

The subject site is zoned C-3PD (General Commercial Planned Development) and is within the Northeast Gateway District. The Northeast Gateway District Planned Development Ordinance (Ord. No. 4971) is applicable as an overlay to the commercial zoning of the site, and requires landscaping subject to the standards outlined in McMinnville Municipal Code (MMC) Chapter 17.57-Landscaping and as noted in Ord. No. 4971 Section 10 – Landscaping. MMC Section 17.57.030 requires landscaping in the C-3 zone, therefore landscaping is required.

**Attachments:**

Attachment A – Decision, Conditions, Findings Of Fact And Conclusionary Findings For The Approval Of A Landscape Plan Review at 915 NE Lafayette Avenue

Attachment B – Application Materials

MMC Section 17.58.080 requires street trees to be planted at all new commercial development which has a designated curb-side planting strip or planting islands. Right-of-way improvements included in the development project include the installation of sidewalk cut-outs. Therefore street trees are required, subject to the standards and criteria of MMC Chapter 17.58 – Trees.

Solid waste and recycling enclosures are subject to the standards and criteria of MMC Chapter 17.61 – Solid Waste and Recycling Enclosure Plan.

**Conditions:**

1. That the applicant shall install landscaping as shown on the revised landscape plan received by the Planning Department on November 7, 2021 and shall comply with required conditions of approval.
2. That a six-foot sight-obscuring fence shall be provided along the northeast property line.
3. Street trees, as they grow, shall be pruned to provide at least eight (8) feet of clearance above sidewalks 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.
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.
5. That all street trees shall be a minimum of two (2) inches in caliper measured at six (6) inches above grade. 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 shall be free of insects, diseases, mechanical injury, and other objectionable features when planted.
6. That planting of street trees shall be subject to the McMinnville design drawings and specification. 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 provided to a minimum depth of eighteen (18) inches. Two (2) deep watering tubes shall be provided to encourage deep rooting.
7. That the applicant shall schedule an inspection with the McMinnville Public Works Superintendent of the installed root barrier and watering tubes prior to any street tree planting. Trees intended for planting shall be on-site and available for inspection. The applicant shall contact the McMinnville Public Works Superintendent, at (503) 434-7316 to schedule a planting inspection prior to backfilling.
8. 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 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

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**Attachments:**

*Attachment A – Decision, Conditions, Findings Of Fact And Conclusionary Findings For The Approval Of A Landscape Plan Review at 915 NE Lafayette Avenue*

*Attachment B – Application Materials*



(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.

10. That the applicant shall contact the appropriate utility-locate service (dial 811 or 800-332-2344) prior to any planting excavation to ensure that underground utilities are not damaged.
11. That all 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. Maintenance of the street trees shall be the continuing obligation of the abutting property owner.
12. That the trash enclosure plant material shall be a minimum of three (3) feet in height at the time of planting.
13. That lighting of parking and landscaped areas shall be directed into or on the site and away from property lines. Building accent lighting shall be directed and/or shielded to place light on the intended target, and not result in skyward glare.

**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.

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 18-21 SUBJECT TO THE CONDITIONS SPECIFIED IN THE DECISION DOCUMENT.**

AD

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**Attachments:**

*Attachment A – Decision, Conditions, Findings Of Fact And Conclusionary Findings For The Approval Of A Landscape Plan Review at 915 NE Lafayette Avenue*

*Attachment B – Application Materials*



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**DECISION, CONDITIONS, FINDINGS OF FACT AND CONCLUSIONARY FINDINGS FOR THE  
APPROVAL OF A LANDSCAPE PLAN REVIEW FOR 915 NE LAFAYETTE AVENUE**

**DOCKET:** L 18-21 (Landscape Plan Review)

**REQUEST:** Approval of a Landscape Plan for a dentist office.

**LOCATION:** 915 NE Lafayette Avenue (Tax Lot 02700, Section 21, T. 4 S., R. 4 W., W.M.)

**ZONING:** C-3PD (General Commercial Planned Development)

**APPLICANT:** Sarah P. Post, Property owner

**STAFF:** Amy Dixon, Associate Planner

**DATE DEEMED  
COMPLETE:** September 21, 2021

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

**DECISION DATE  
& LOCATION:** October 20, 2021, Community Development Center, 231 NE 5<sup>th</sup> Street, McMinnville, Oregon, and Zoom Online Meeting ID: 860 7632 6400.

Continued to November 4, 2021, Community Development Center, 231 NE 5<sup>th</sup> Street, McMinnville, Oregon, and Zoom Meeting Online ID: 843 9750 1533.

**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 applicant, Sarah P. Post, property owner, submitted a landscape plan review application (Docket L 18-21) associated with a Northeast Gateway Design Review. The application requests approval of a landscape plan for the development of a dentist office in the Northeast Gateway District.

The subject property is located at 915 NE Lafayette Avenue which is at the corner of Lafayette Avenue and 9<sup>th</sup> Avenue. The subject site is also identified as Tax Lot 02700, Section 21, T. 4 S., R. 4 W., W.M. **See Figure 1 (Vicinity Map).** The property is zoned C-3PD (General Commercial Planned Development), and is located within Zone 2 of the Northeast Gateway Planned Development Overlay. **See Figure 2 (Zoning Map).**

The subject property and adjacent properties are within the Northeast Gateway District. The goal of the Northeast Gateway Planned Development Overlay is to guide the transition of the area to a vital, mixed-use, pedestrian-friendly neighborhood. The property is currently undeveloped. All surround properties are developed with single-family dwellings. Adjacent properties to the northeast and southwest (along Lafayette Avenue) are commercially zoned. Northwest of the subject site, adjacent properties are commercially zoned. Southeast of the subject site across Lafayette Avenue is residential zoned.

The proposed site plan for a pediatric dentist office is fronting on NE Lafayette Avenue and NE 9<sup>th</sup> Avenue rights-of-way. Off-street parking for 8 vehicles is located to the northeast portion of the building and 4 off-street parking space on the Northwest portion of the building abutting the alley. As part of the Northwest Gateway Planned Development review approval, landscaping between the parking and the right-of-way along Lafayette Avenue was required. A trash and recycling enclosure is located behind the building on the southwestern corner of the site. The landscape plan addresses landscaping for the site, and street trees in the adjacent right-of way. **See Figure 3 (Landscape Plan) and Figure 4 (Plant Schedule).**

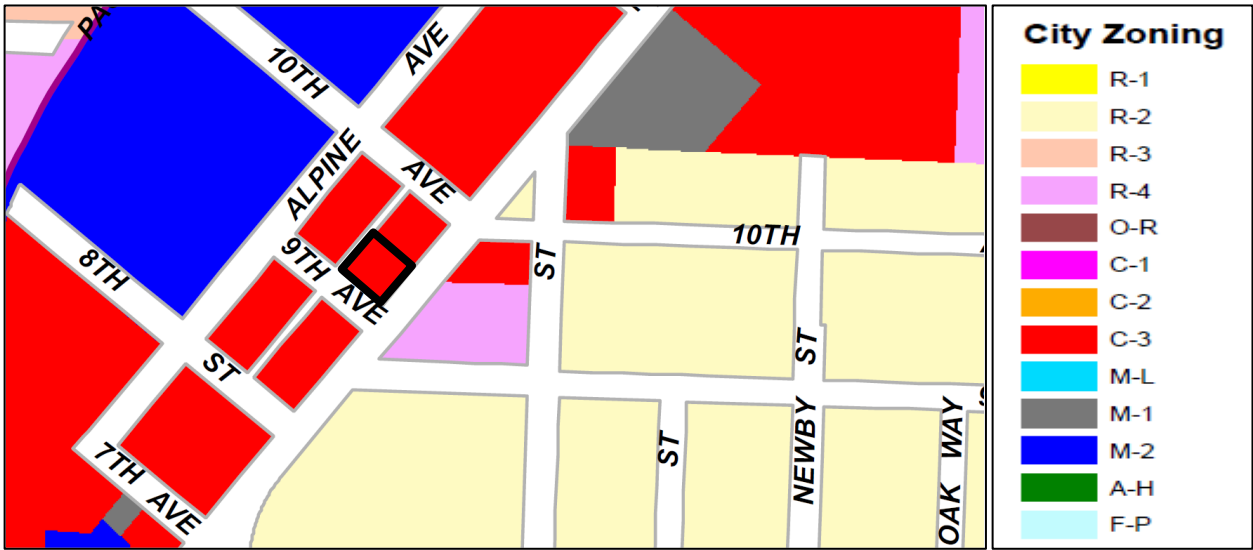
**Figure 1: Vicinity Map**



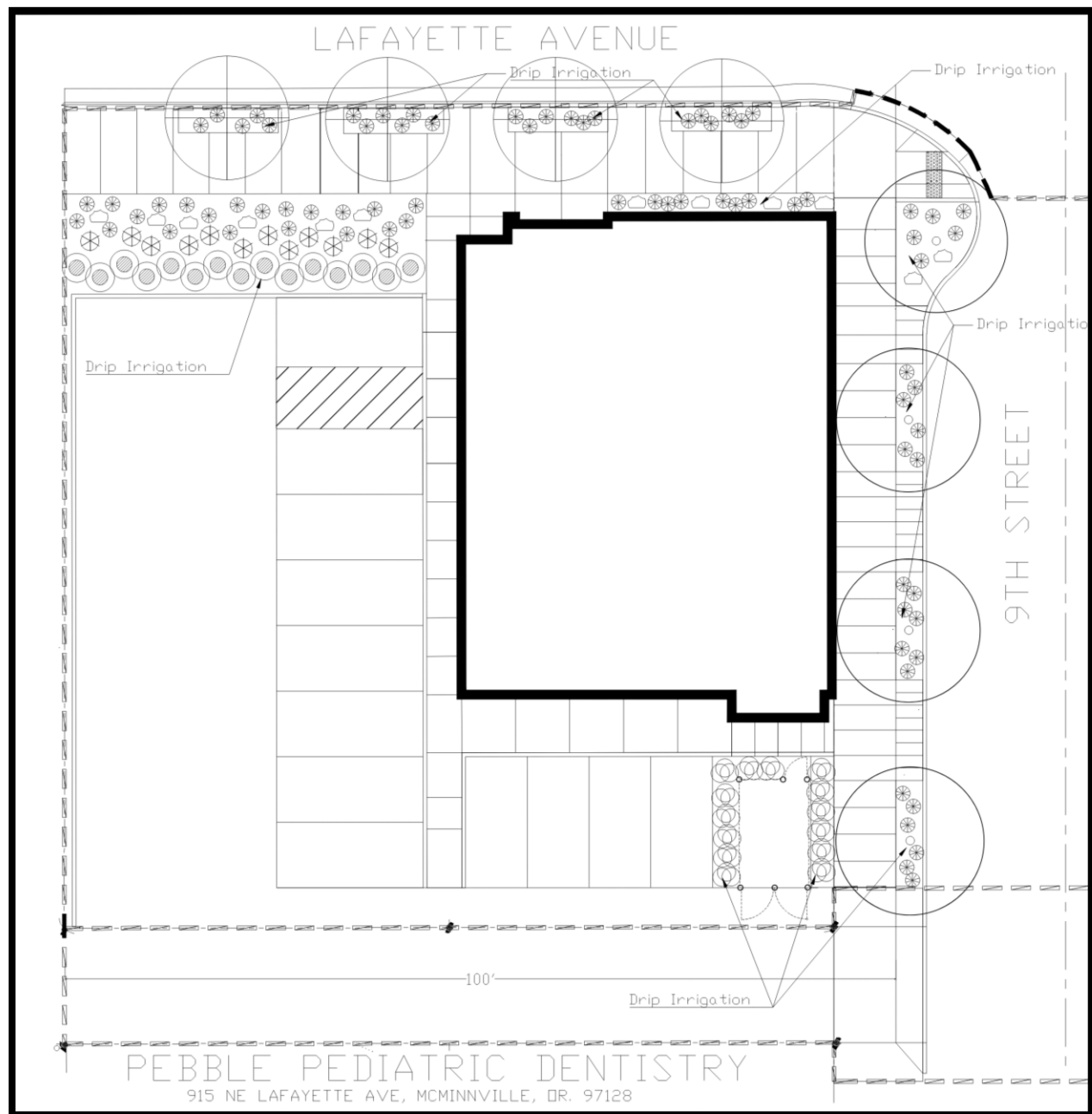
### ***Attachments :***

- Attachment 1 – Application and Attachments
- Attachment 2 – NEG 1-21 Decision
- Attachment 3 – MW&L Comments
- Attachment 4 – MPW Comments

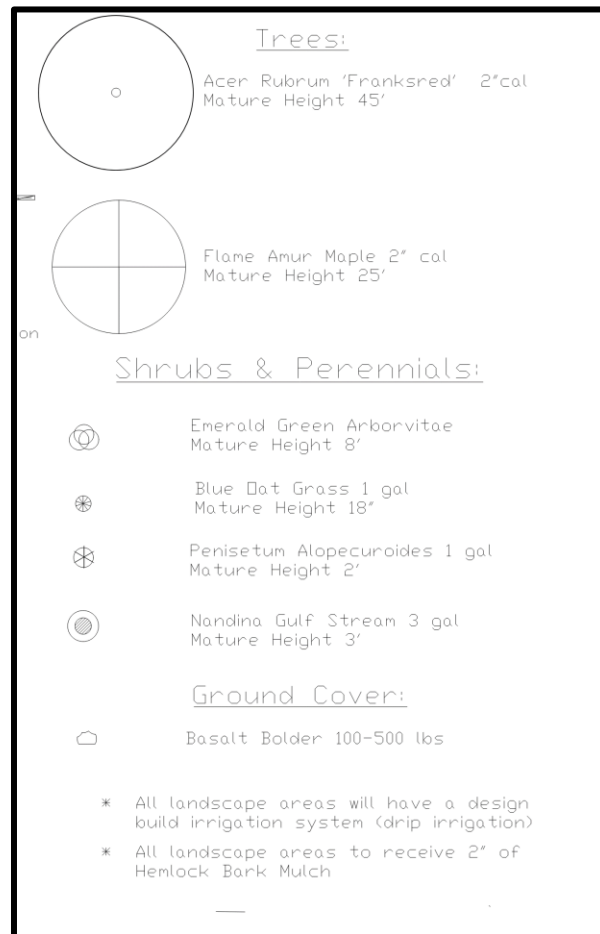
Figure 2: Zoning Map



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**Figure 3: Proposed Landscape Plan – November 7, 2021****Attachments :**

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**Figure 4: Proposed Plant Schedule– November 7, 2021****Summary of Criteria & Issues**

Decisions and/or recommendations for approval of the land use application is dependent upon whether or not the application meets state regulations, the McMinnville Comprehensive Plan and the McMinnville Municipal Code (MMC). The application can either meet these criteria as proposed, or a condition of approval can be provided that either outlines what needs to occur to meet the criteria or when something needs to occur to meet the criteria.

The subject site is zoned C-3PD (General Commercial Planned Development) and is within the Northeast Gateway District. The Northeast Gateway District Planned Development Ordinance (Ord. No. 4971) is applicable as an overlay to the commercial zoning of the site, and requires landscaping subject to the standards outlined in McMinnville Municipal Code (MMC) Chapter 17.57-Landscaping and as noted in Ord. No. 4971 Section 10 – Landscaping. MMC Section 17.57.030 requires landscaping in the C-3 zone, therefore landscaping is required.

MMC Section 17.58.080 requires street trees to be planted at all new commercial development which has a designated curb-side planting strip or planting islands. Right-of-way improvements included in the development project include the installation of sidewalk cut-outs. Therefore, street trees are required, subject to the standards and criteria of MMC Chapter 17.58 – Trees.

Solid waste and recycling enclosures are subject to the standards and criteria of MMC Chapter 17.61 – Solid Waste and Recycling Enclosure Plan.

**Attachments:**

- Attachment 1 – Application and Attachments
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**II. CONDITIONS:**

1. That the applicant shall install landscaping as shown on the revised landscape plan received by the Planning Department on November 7, 2021 and shall comply with required conditions of approval.
2. That a six-foot sight-obscuring fence shall be provided along the northeast property line.
3. Street trees, as they grow, shall be pruned to provide at least eight (8) feet of clearance above sidewalks 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.
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.
5. That all street trees shall be a minimum of two (2) inches in caliper measured at six (6) inches above grade. 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 shall be free of insects, diseases, mechanical injury, and other objectionable features when planted.
6. That planting of street trees shall be subject to the McMinnville design drawings and specification. 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 provided to a minimum depth of eighteen (18) inches. Two (2) deep watering tubes shall be provided to encourage deep rooting.
7. That the applicant shall schedule an inspection with the McMinnville Public Works Superintendent of the installed root barrier and watering tubes prior to any street tree planting. Trees intended for planting shall be on-site and available for inspection. The applicant shall contact the McMinnville Public Works Superintendent, at (503) 434-7316 to schedule a planting inspection prior to backfilling.
8. 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 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.
10. That the applicant shall contact the appropriate utility-locate service (dial 811 or 800-332-2344) prior to any planting excavation to ensure that underground utilities are not damaged.

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11. That all 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. Maintenance of the street trees shall be the continuing obligation of the abutting property owner.
12. That the trash enclosure plant material shall be a minimum of three (3) feet in height at the time of planting.
13. That lighting of parking and landscaped areas shall be directed into or on the site and away from property lines. Building accent lighting shall be directed and/or shielded to place light on the intended target, and not result in skyward glare.

### **III. ATTACHMENTS:**

1. L 18-21 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:

- McMinnville Public Works Department:

#### **Site Review**

1. The existing site is a vacant lot on the north side of NE 9<sup>th</sup> Street, at the intersection of NE 9<sup>th</sup> and NE Lafayette Drive.
2. 9<sup>th</sup> Street is functionally classified as a local street. Currently it is a gravel road, with no curb or gutter. As part of development, it will be a half street improvement on the north side of the street.
3. Lafayette Avenue is functionally classified as a minor arterial, with curb & gutter, sidewalks, bike lanes and a center turn lane. This section of Lafayette Avenue is a 25 MPH speed zone.
4. There are overhead power and communication facility conflicts on the west side of Lafayette adjacent to the site. east (Evans) sides of the site.

#### **Comments/Recommendations**

1. The submitted landscaping plan shows street trees along both 9<sup>th</sup> and Lafayette. Staff recommendations regarding these proposed trees:
  - a. 9<sup>th</sup> Street: the most easterly tree in the bulb out appears to be in the 15' vision clearance triangle. As such, the tree should of a size that it can be planted and maintained to a minimum of 8' above grade to allow for vision clearance. Given the traffic volumes on Lafayette Avenue, this should be the requirement at the time of planting so visibility is not impacted. If this cannot be met, then the tree should not be planted in this area. The proposed trees to the west are recommended to be approved.

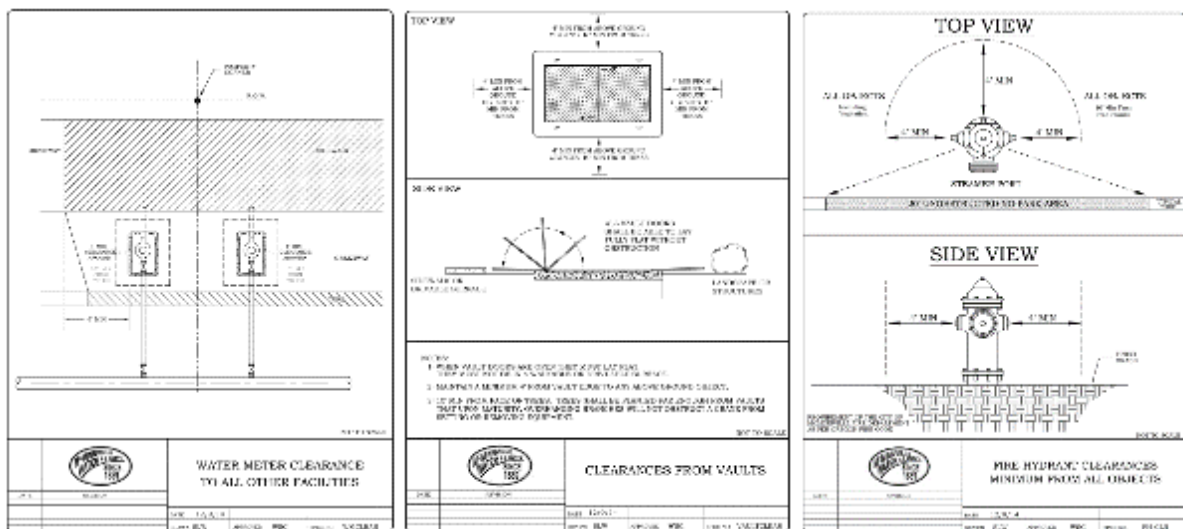
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- b. Lafayette Avenue: the proposed street trees will negatively impact intersection sight distance at this intersection. There should be 240' of sight distance to the north; the proposed plantings will obstruct that. Additionally, required street clearance over the roadway for an arterial is 18'; the proposed trees will not meet that requirement. Thus staff would not recommend approving street tree plantings along Lafayette Avenue adjacent to this site.
  - c. The proposed grasses along Lafayette must be maintained below 36" to maintain intersection sight distance
2. The proposed plan indicates that boulders will be placed in the bulb out. Public Works Operations would not recommend approving place such items in the right of way.
  3. As a note, the City will not maintain any plantings in the right of way, or clear trash or rubbish from planter cut outs.
- McMinnville Water and Light:

Water: MW&L reviewed the application and indicated that the water meter and RP backflow device will be installed in the southwesterly area of the property. Proper clearances must be maintained.



Power: MW&L did not comment.

### 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. The applicant Sarah P Post, property owner, submitted a landscape plan review application on August 18, 2021.

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2. The application was deemed incomplete on September 9, 2021. Additional application materials were submitted on September 16, 2021. The revised application was deemed complete on September 21, 2021.
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 October 20, 2021, to review the application and proposed landscape plan. The Landscape Review Committee voted to continue the application.
6. Revised application materials were submitted on October 25, 2021 and November 7, 2021.
7. A public meeting was held by the Landscape Review Committee on December 2, 2021, to review the application and proposed landscape plan.

## **VI. FINDINGS OF FACT - GENERAL FINDINGS**

1. **Location:** 915 NE Lafayette Avenue (Tax Lot 02700, Section 21, T. 4 S., R. 4 W., W.M.)
2. **Size:** Approximately 10,000 square feet
3. **Comprehensive Plan Map Designation:** Commercial
4. **Zoning:** C-3PD (General Commercial Planned Development)
5. **Overlay Zones/Special Districts:** Northeast Gateway District Planned Development Overlay (Ordinance Number 4971)
6. **Current Use:** Vacant
7. **Inventoried Significant Resources:**
  - a. **Historic Resources:** None
  - b. **Other:** None
8. **Other Features:** There are no significant or distinguishing natural features associated with this property.
9. **Utilities:**
  - a. **Water:** Water service is available to the subject site.
  - b. **Electric:** Power service is available to the subject site.
  - c. **Sewer:** Sanitary sewer service is available to the subject site.
  - d. **Stormwater:** Storm sewer service is available to the subject site.
  - e. **Other Services:** Other utility services are available to the subject site. Northwest Natural Gas and Comcast is available to serve the site.

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10. **Transportation:** The site includes frontages onto NE Lafayette Avenue to the southeast and NE 8<sup>th</sup> Avenue to the southwest. NE Lafayette Avenue is identified as a minor arterial in the McMinnville Transportation system plan. NE Lafayette Avenue is improved adjacent to the property frontage, but will be required to be improved and additional right-of-way dedicated at the time of development of the site to bring the frontage into compliance with current McMinnville Transportation system plan standards. NE 9<sup>th</sup> Avenue is identified as a local street in the McMinnville Transportation System plan. NE 9<sup>th</sup> Avenue is unimproved and is required to be improved along the subject site's right-of-way frontage at the time of development of the site. The site is also adjacent to a public alley to the northwest.

## **VII. CONCLUSIONARY FINDINGS:**

The Conclusionary Findings are the findings regarding consistency with the applicable criteria for the application. The applicable planning factors for a Landscape Plan Review are specified in Section 17.57.070 of the Zoning Ordinance. The applicable standards for Street Trees are specified in Section 17.58.090 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 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:** None.

**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**

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#### *Attachments :*

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

### **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.

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

The guidelines and standards contained in this chapter serve to help McMinnville realize the objectives noted above. These guidelines and standards are intended as minimum standards for landscape treatment. Owners and developers are encouraged to exceed these in seeking more creative solutions both for the enhanced value of their land and for the collective health and enjoyment of all citizens of McMinnville. The landscaping provisions in Section 17.57.070 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.

**APPLICANT'S RESPONSE:** None.

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#### *Attachments :*

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**FINDING: SATISFIED.** The landscape plan will enhance the appearance of the city and will benefit the economic, ecological, and aesthetic environment of the city. Conditions of approval have been included in the findings described in further detail below to ensure that the proposed planting meets necessary City standards and criteria, which will result in a pleasant visual character and structure to the built environment that is sensitive to safety and aesthetic issues.

**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:** None.

**FINDING: SATISFIED.** The subject site is zoned C-3 (General Commercial), therefore landscaping is required subject to the standards and criteria of Chapter 17.57 – Landscaping.

**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:** Total landscaped area is projected to be 810 sq. ft., which is 8.1% of the total property area.

**FINDING: SATISFIED.** The revised landscape plan indicates the following Percent Landscaped for the proposed multiple-family residential development:

	Total Site Area (s.f.)	Landscape Provided (s.f.)	Percentage
Proposed Development	10,000	810	8.1%

The proposed landscaping of 8.1 percent exceeds the seven (7) percent minimum landscaping requirement for commercial development.

**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:** None.

**FINDING: SATISFIED WITH CONDITION #1.** The proposed site plan features a new commercial dentist building fronting both the NE Lafayette Avenue and NE 9<sup>th</sup> Avenue rights-of-way. A trash and recycling enclosure and 4 vehicle parking spaces are located behind the building fronting on NE 9<sup>th</sup> Avenue and the alley on the northwestern half of the site. The 8 additional parking spaces are located on the northeast side of the building.

Landscaping in the front of the building along the Lafayette Avenue frontage and the parking abutting NE Lafayette Avenue is to provide screening and buffering between onsite and offsite

**Attachments :**

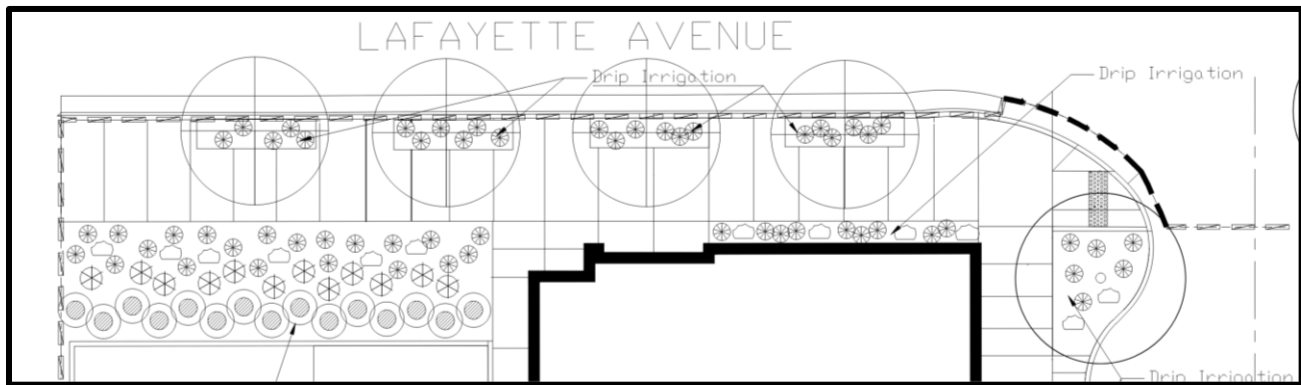
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activities. The landscaping buffering the parking lot consists of Nandina Gulf Stream, Pennisetum Alopecuroides, and Blue Oat Grass. The building frontage will have Blue Oat grass and basalt boulders. **See Figure 5 (Lafayette Avenue Landscaping).**

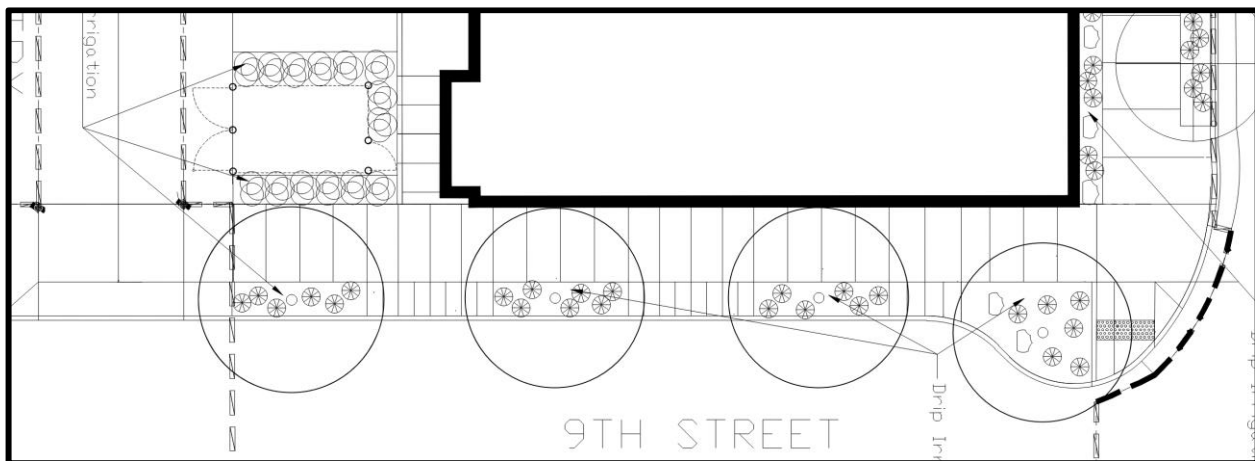
Due to the building location, the only onsite landscaping buffering NE 9<sup>th</sup> Avenue is around the solid waste and recycling enclosure consisting of Emerald Green Arborvitae, which are required to be 3 feet at planting. **See Figure 6 (NE 9<sup>th</sup> Avenue Landscaping).**

Right-of-way landscaping includes street trees in tree wells, and Blue Oat Grass between the street trees. Based on a study of vision clearance of north-bound traffic on Lafayette Avenue, Public Works staff also recommended preserving a clear vision area. No street trees or other obstructions are proposed within the recommended clear vision area.

**Figure 5: NE Lafayette Avenue Landscaping**



**Figure 6: NE 9<sup>th</sup> Avenue Landscaping**



Overall, staff finds the landscape plan is compatible with the proposed project and surrounding properties and uses. The landscape supports the development concept of a flexible, pedestrian-oriented spaces that are encouraged within the Northeast Gateway District. To ensure the landscaping is install as shown on the proposed plan, a condition is necessary.

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**CONDITION FOR FINDING:** That the applicant shall install landscaping as shown on the revised landscape plan received by the Planning Department on November 7, 2021 and shall comply with required conditions of approval.

**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:** None.

**FINDING: SATISFIED WITH CONDITION #2.** The property is at corner lot located at NE Lafayette Avenue and NE 9<sup>th</sup> Avenue. While adjacent properties are commercially zoned like the subject property, residential uses exist. Most of the NE 9<sup>th</sup> Avenue is occupied with the proposed building with the remaining being the solid waste and recycle enclosure which has required screening. The building also occupies approximately half of the NE Lafayette frontage. As approved in the Northeast Gateway Development Review (NEG 1-21), a 10 -foot landscaping area is required along to buffer the parking area from the public right-of-way which will promote a pedestrian oriented street environment. The applicant has not identified any screening along the northeast property abutting the single-family dwelling or alley. With the need to meet the solid waste enclosure standards and provide parking access, landscaping does not seem to be appropriate. With the limited area along the northeast property line, it would appear that the only means to screen is with a sight-obscuring fence. Therefore, a condition to provide the fence is necessary.

**CONDITION FOR FINDING:** That a six-foot sight-obscuring fence shall be provided along the northeast property line.

**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:** None

**FINDING: SATISFIED.** An existing tree on the site near Lafayette Avenue is proposed to be removed to accommodate the required maximum setback of the building as required by the Northeast Gateway District. Retention of the tree would be prohibitive to the development of the site due to the locational requirements of the Planned Development Overlay.

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

**APPLICANT'S RESPONSE:** None.

**FINDING: SATISFIED.** The purpose and intent statement of the Landscape Chapter states that "Owners and developers are encouraged to exceed these [landscaping guidelines and standards] in seeking more creative solutions both for the enhanced value of their land and for the collective health and enjoyment of all citizens of McMinnville."

As part of NEG 1-21 approval, a request to waive the internal landscaping within the parking lot was granted. The applicant (property owner and developer of the project) indicated, and staff concurred that the parking spaces were not required but provided to help keep street parking available for district visitors rather than patients. As noted in the NEG 1-21, the parking space locations are somewhat broken up, not by landscaping, but by the location and orientation.

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**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:** None.

**FINDING: SATISFIED WITH CONDITION #3.** The revised landscape plan indicates that four (4) street trees (Flame Amur Maple) are proposed in the tree well along the NE Lafayette Avenue curbside and 4 trees (Acer Rubrum) in the tree well along the NE 9<sup>th</sup> Avenue curbside. The proposed trees are identified as recommended street tree on the McMinnville Street Tree List. Due to the presence of overhead power along the north side of Lafayette Avenue, the street trees would not conflict with the overhead utility. Additionally, street trees along Lafayette Avenue will be required to be pruned to provide 18 feet of clearance from the arterial street. A street tree selection with a narrow, upright, or columnar form would help provide the required clearance from the arterial street. Therefore, a condition of approval is included to require that the street tree requiring the necessary pruning.

**CONDITION FOR FINDING:** Street trees, as they grow, shall be pruned to provide at least eight (8) feet of clearance above sidewalks 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.

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

**APPLICANT'S RESPONSE:** None

**FINDING: SATISFIED.** The landscape plan indicates that watering facilities will be accomplished by drip irrigation to all landscaping within the site and to proposed street trees.

**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:** None.

**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.

## **Chapter 17.58. Trees**

**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; reduce costs for energy, stormwater management, and erosion control; 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 increase property values and build stronger ties within neighborhoods; to implement applicable adopted Downtown Improvement Plan provisions; to promote

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a diverse, healthy, and sustainable community forest; and to educate the public regarding community forest issues.

**APPLICANT'S RESPONSE:** None.

**FINDING: SATISFIED.** The street tree plan will establish tree cover on new public right-of-way to be dedicated to the City. It will provide for tree-lined streets along the new development and will enhance the appearance of the City. Conditions of approval have been included in the findings described in further detail below to ensure that the planting of street trees meets all necessary street tree standards, which will result in the appropriate planting and maintenance of the street trees. This will help minimize hazard, nuisance, damage, and maintenance costs.

**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.

**APPLICANT'S RESPONSE:** None.

**FINDING: SATISFIED.** The proposed development is a new commercial development that includes designated planting islands in the form of sidewalk cuts in the concrete for tree planting. Therefore, street trees are required in accordance with the standards listed in Section 17.58.090.

**17.58.090 Street Tree Standards.**

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

**APPLICANT'S RESPONSE:** None.

**FINDING: SATISFIED WITH CONDITION #3 above.** A revised street tree list updating the McMinnville Street Tree List approved by Resolution 2016-22 was developed by the Landscape Review Committee and approved by Resolution 2019-26. The revised landscape plan indicates that three (3) Flame Amur Maple street trees would be planted along Lafayette Avenue and four (4) Acer Rubrum along NE 9<sup>th</sup> Avenue. These trees are identified as recommended medium street trees on the McMinnville Street Tree List.

Due to the presence of overhead power along the north side of Lafayette Avenue, the street trees would not conflict with the overhead utility. Additionally, street trees along Lafayette Avenue will be required to be pruned to provide 18 feet of clearance from the arterial street. A street tree selection with a narrow, upright, or columnar form would help provide the required clearance from the arterial street. Therefore, a condition of approval is included to require that the street tree requiring the necessary pruning.

**17.58.090(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.

**APPLICANT'S RESPONSE:** None.

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**FINDING: SATISFIED WITH CONDITIONS #5, #6 & 7.** A condition of approval is included to ensure that street trees shall meet City standards for size and quality at the time of planting.

**CONDITIONS FOR FINDING:** That all street trees shall be a minimum of two (2) inches in caliper measured at six (6) inches above grade. 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 shall be free of insects, diseases, mechanical injury, and other objectionable features when planted.

That planting of street trees shall be subject to the McMinnville design drawings and specification. 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 provided to a minimum depth of eighteen (18) inches. Two (2) deep watering tubes shall be provided to encourage deep rooting.

That the applicant shall schedule an inspection with the McMinnville Public Works Superintendent of the installed root barrier and watering tubes prior to any street tree planting. Trees intended for planting shall be on-site and available for inspection. The applicant shall contact the McMinnville Public Works Superintendent, at (503) 434-7316 to schedule a planting inspection prior to backfilling.

**17.58.090(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. [...]

**APPLICANT'S RESPONSE:** None.

**FINDING: SATISFIED WITH CONDITION #3 above.** Due to the presence of overhead power along the north side of Lafayette Avenue, the street trees would not conflict with the overhead utility. Additionally, street trees along Lafayette Avenue will be required to be pruned to provide 18 feet of clearance from the arterial street. A street tree selection with a narrow, upright, or columnar form would help provide the required clearance from the arterial street. Therefore, a condition of approval is included to require that the street tree requiring the necessary pruning.

As listing in the McMinnville Street Tree List, Flame Amur Maple is required to be spaced no more than 20 feet apart and Acer Rubrum street trees are to be spaced no more than 30 feet apart, unless a utility or improvement is present that creates a setback requirement. The proposal indicates the Acer Rubrum trees are no more than 25 feet apart, meeting the requirements of the standard. The Flame Amur Maple trees are no more than 20 feet apart, meeting the requirements of the standard.

**17.58.090(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.

**APPLICANT'S RESPONSE:** None.

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**FINDING: SATISFIED.** Lafayette Avenue is classified as an arterial street. Street trees are proposed in curbside tree wells measuring four (4) feet by six (6) feet, with the long dimension parallel to the curb. Trees would not be planted closer than two and one-half (2 ½) feet from the face of the curb. The landscape plan indicates a distance of five and one-half (5 ½) from the back edge of the sidewalk to the back edge of the tree well, exceeding the minimum distance of four (4) feet.

**17.58.090(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.

**APPLICANT'S RESPONSE:** None.

**FINDING: SATISFIED WITH CONDITION OF APPROVAL #8, #9 & #10.** Utility locations are indicated on MW&L comments and proposed street tree locations appear to be in the area of required setback distances. A condition of approval has been included to ensure that setbacks from utilities be maintained.

**CONDITIONS FOR FINDING:** That trees are not to be planted within:

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

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 the applicant shall contact the appropriate utility-locate service (dial 811 or 800-332-2344) prior to any planting excavation to ensure that underground utilities are not damaged.

**17.58.090(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.

**APPLICANT'S RESPONSE:** None.

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**FINDING: SATISFIED.** There are no existing street trees adjacent to the subject property, therefore, this standard is not applicable.

**17.58.120 Street Tree Maintenance.**

- A. Street trees shall be continually maintained, including necessary watering, weeding, pruning and replacement, by the developer or property owner for one full growing season following planting, or as may be required by the City.
- B. Street tree plans, or landscape plans including street trees, shall be maintained in perpetuity. In the event that a street tree must be replaced, the adjacent property owner or developer shall plant a replacement tree of a species from the approved street tree or landscape plan.
- C. 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.
- D. 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. Major pruning, as defined in Section 17.58.020, of a street tree must be approved by the City in accordance with Section 17.58.040.

**APPLICANT'S RESPONSE:** None.

**FINDING: SATISFIED WITH CONDITION OF APPROVAL #11 and #3 above.** A condition of approval has been included to ensure that the street trees are continually maintained, including necessary watering, weeding, pruning, and replacement, by the developer or property owner for one full growing season following planting. Maintenance of the street trees shall be the continuing obligation of the abutting property owner.

**CONDITION FOR FINDING:** That all 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. Maintenance of the street trees shall be the continuing obligation of the abutting property owner.

**Chapter 17.61 Solid Waste and Recycling Enclosure Plan**

**17.61.030(C)** Any trash or recycling enclosure which is visible from the street must provide landscaping around three (3) sides of the structure. Climbing vines and screening shrubs or hedges are appropriate, and landscaping must be a minimum of three feet (3) in height at the time of planting.

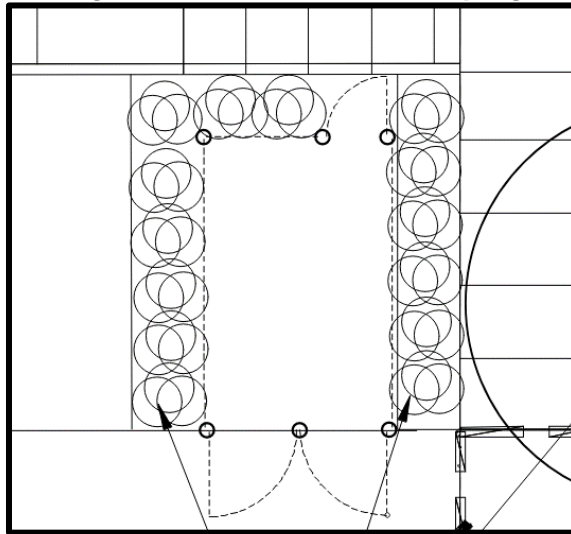
**APPLICANT'S RESPONSE:** None.

**FINDING: SATISFIED WITH CONDITION OF APPROVAL #12.** A solid waste/recycling enclosure is required for all new commercial development. The proposed solid waste and recycling enclosure located behind the building next to 9<sup>th</sup> Street. The Landscaping Plans indicated that there will be Emerald Green Arborvitae provided on three sides of the enclosure. The Landscaping Plans do not indicate the height of the arborvitae at planting. Therefore, a condition is necessary to meet this standard. **See Figure 7 (Enclosure Landscaping).**

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**Figure 7: Enclosure Landscaping**

**CONDITION FOR FINDING:** That the trash enclosure plant material shall be a minimum of three (3) feet in height at the time of planting.

#### **Northeast Gateway Planned Development Overlay**

The following Sections of the Northeast Gateway Planned Development Overlay (Ordinance No. 4971) provide criteria applicable to the request:

**Section 10 – Landscaping.** Landscaping plans are subject to the review and design standards outlined in Chapter 17.57 (Landscaping) of the Zoning Ordinance and as noted below:

All Zones:

- A. Landscaping shall be provided between the public street right-of-way and the front building line, exclusive of pedestrian walk-ways, patios, plazas, and similar facilities. Such landscaping shall be designed to provide interest to pedestrians and shall be maintained at a height no more than three (3) feet so that it is not site obscuring.

**APPLICANT’S RESPONSE:** None.

**FINDING: SATISFIED.** The revised landscape plan indicates that landscaping is being provided along the NE Lafayette Avenue frontage of the building and parking lot. Planters are proposed between the public sidewalk and the front building line. Landscaping is also being provided along the property line of NE 9<sup>th</sup> Avenue in front of the solid waste enclosure. The proposed plants in front of the solid waste enclosure are required to be three feet tall at planting. Therefore, this standard is met.

- B. Off-street parking located behind the building but visible from the public right-of-way shall be screened through the provision of a continuous row of shrubs, or a fence or seating wall, not less than three feet and no more than four feet high.

**APPLICANT’S RESPONSE:** None.

**FINDING: SATISFIED.** The proposed landscaping plan indicates that the parking is adequately screen from the public right-of-way. Therefore, this standard is met.

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#### **Attachments :**

Attachment 1 – Application and Attachments  
 Attachment 2 – NEG 1-21 Decision  
 Attachment 3 – MW&L Comments  
 Attachment 4 – MPW Comments

- C. Off-street parking areas with 10 (ten) or more parking spaces shall have, at a minimum, internal landscaping designed to visually break up a paved parking area as follows:
1. Landscaped islands and peninsulas shall be evenly distributed throughout all parking areas and separated no more than 60 feet from another. Such islands shall be provided with raised curbs, be a minimum of five feet in width, and shall each contain at least one deciduous tree. To achieve the maximum canopy coverage, all trees shall be non-columnar.

**APPLICANT'S RESPONSE:** See NE Gateway Waiver request in attached application materials.

**FINDING: SATISFIED.** The applicant has requested and received a waiver from this standard criterion through the Northeast Gateway Design Review process. Therefore, this standard is met.

- D. Lighting of parking and landscaped areas shall be directed either into or on the site and away from property lines. Building accent lighting shall be directed and/or shielded to place light on the intended target, and not result in skyward glare.

**APPLICANT'S RESPONSE:** None.

**FINDING: SATISFIED WITH CONDITION #13.** Lighting is indicated in the parking/outdoor event area, but no further details are provided about light fixtures or photometrics. Therefore, a condition of approval is included to ensure any lighting of parking and landscaped areas be directed into or on the site and away from property lines. Building accent lighting shall be directed and/or shielded to place light on the intended target and not result in skyward glare.

**CONDITION FOR FINDING:** That lighting of parking and landscaped areas shall be directed either into or on the site and away from property lines. Building accent lighting shall be directed and/or shielded to place light on the intended target, and not result in skyward glare.

AD

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**Attachments :**

Attachment 1 – Application and Attachments  
Attachment 2 – NEG 1-21 Decision  
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**Planning Department**

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

569-21-000343-Plng

**Office Use Only:**File No. L18-21Date Received 8-18-21Fee 905.50

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

Received by SP

## Landscape Plan Review Application

**Applicant Information**

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

Applicant Name Sarah P Post Phone 971-237-1613

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

Address 3039 NW Elizabeth

City, State, Zip McMinnville, OR 97128

Contact Email sarahpostdmd@gmail.com

**Property Owner Information**

Property Owner Name SAME AS ABOVE Phone 971-237-1613  
 (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 915 NE Lafayette Ave, McMinnville, OR

Assessor Map No. R4 421 - BA - 02700 Total Site Area 10,000sq ft

Subdivision Oak Park Addition Block 4 Lot 1 & 2

Comprehensive Plan Designation Commercial Zoning Designation Mixed Use Comm/Res



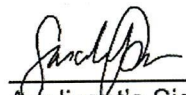
### **Landscaping Information**

1. Total Landscaped Area: 802 sq ft
2. Percent Landscaped: 8.02%
3. Building Floor Area:  
New Structure: 2,982 sq ft Existing Structure: n/a Addition: n/a
4. Architect Name AR Landscape, Inc. Phone 503-474-9749  
(Landscape Architect; Engineer; or Other Designer)  
Contact Name Andy Rhodes Phone 971-241-7035  
Address \_\_\_\_\_  
City, State, Zip McMinnville, OR  
Contact Email arlandscapeinc@aol.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.

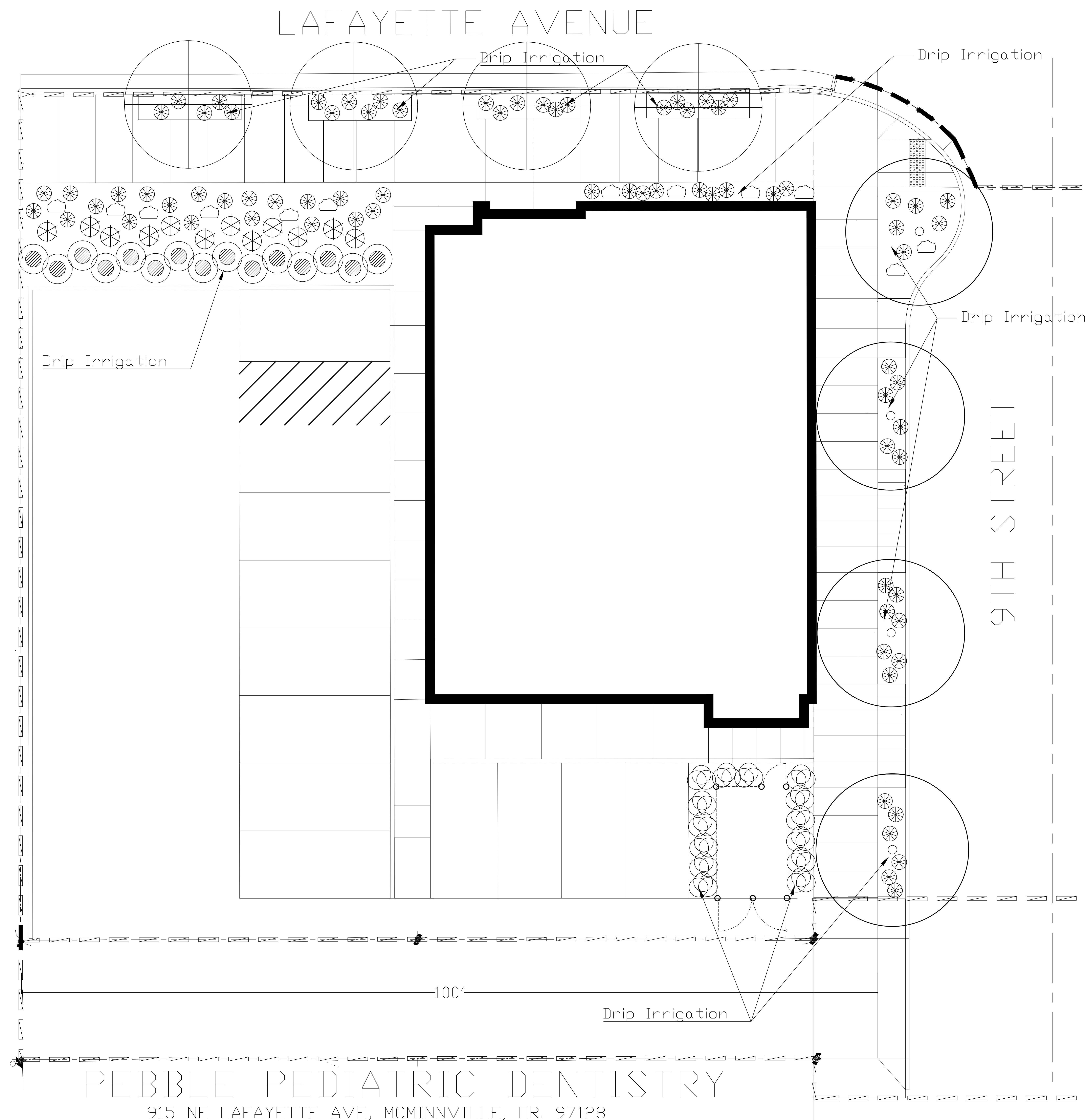
**I certify the statements contained herein, along with the evidence submitted, are in all respects true and are correct to the best of my knowledge and belief.**

  
Applicant's Signature

8/17/2021  
Date

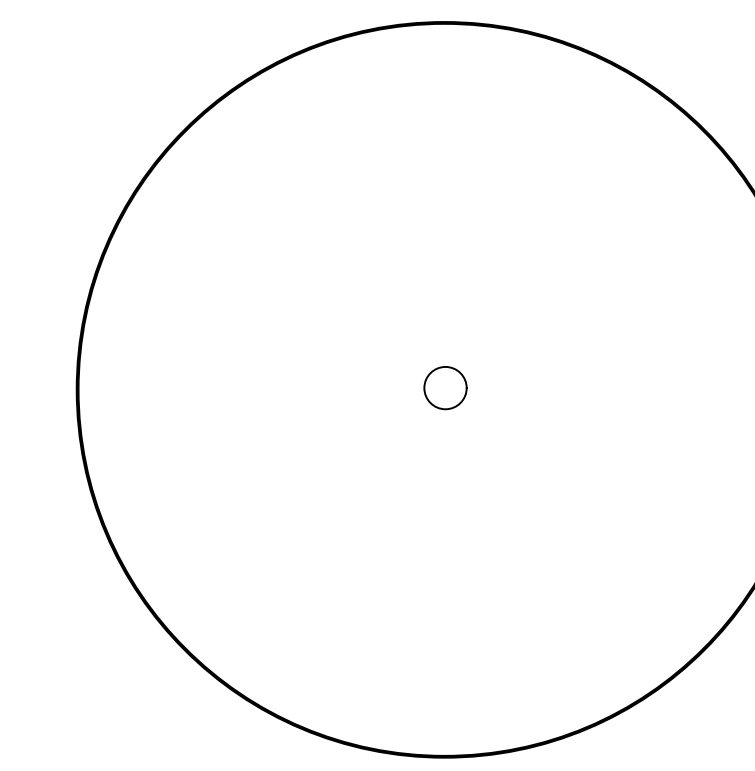
  
Property Owner's Signature

8/17/2021  
Date

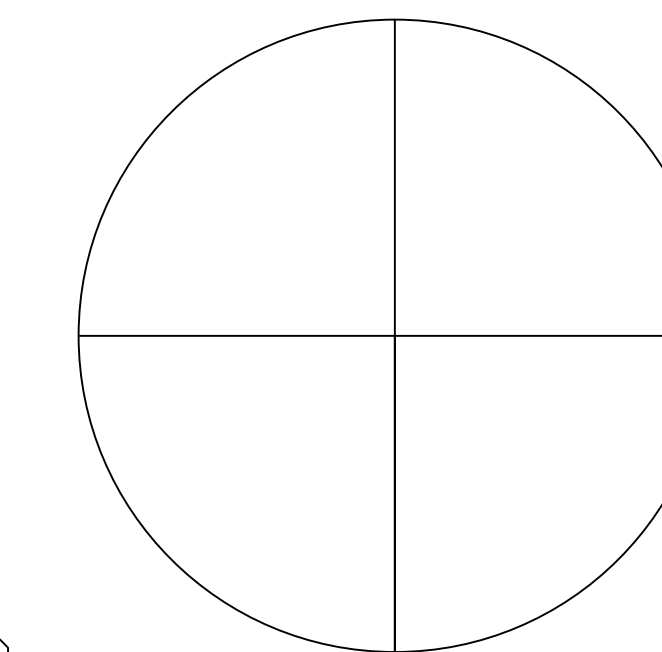


# LANDSCAPE PLANTING PLAN

Trees:

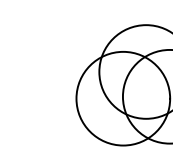


Acer Rubrum 'Franksred' 2" cal  
Mature Height 45'

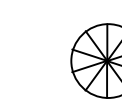


Flame Amur Maple 2" cal  
Mature Height 25'

### Shrubs & Perennials:



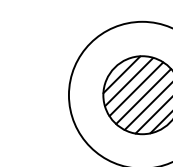
Emerald Green Arborvitae  
Mature Height 8'



Blue Oat Grass 1 gal  
Mature Height 18"

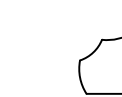


Penisetum Alopecuroides 1 gal  
Mature Height 2'



Nandina Gulf Stream 3 gal  
Mature Height 3'

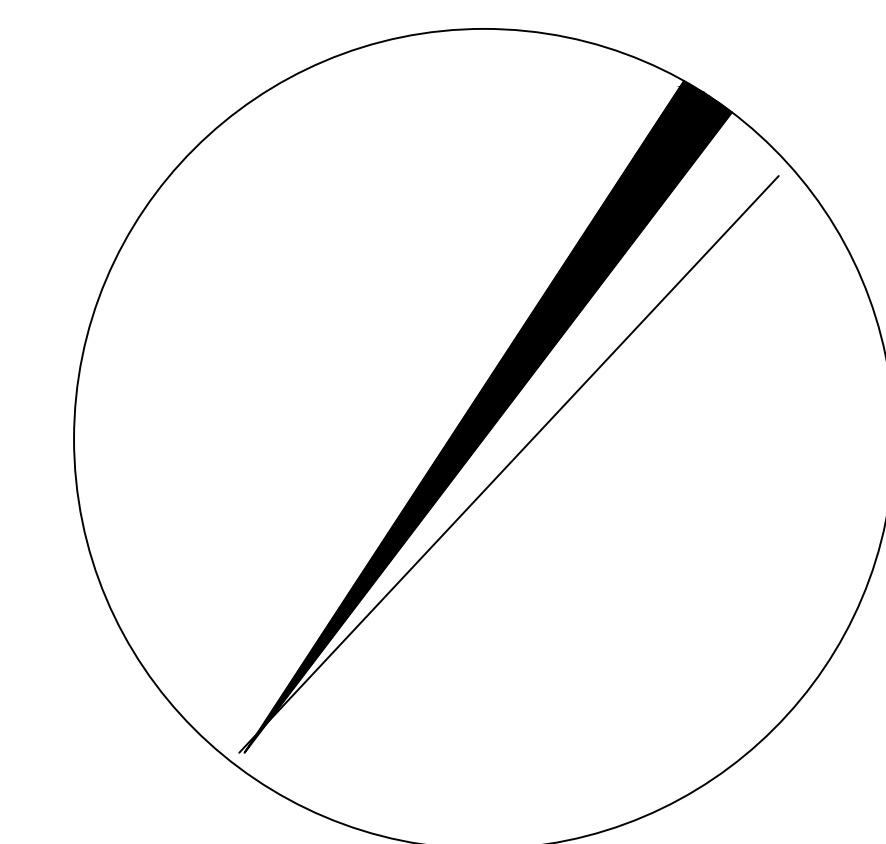
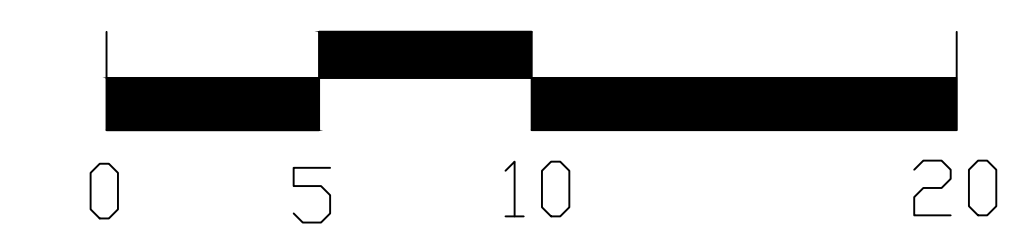
Ground Cover:



Basalt Bolder 100-500 lbs

- \* All landscape areas will have a design build irrigation system (drip irrigation)
- \* All landscape areas to receive 2" of Hemlock Bark Mulch

SCALE (FEET)



NORTH

## EXHIBIT 2

Chapter	Code Section	Sub Section	Current Language	Issue	Solution
Chapter 17, 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.	The stated purpose and intent seems to need changed to be more inline with the requirements in the chapter.	Would need to create a new purpose and intent
			The City recognizes the value of landscaping in achieving the following objectives:	the wording on value of landscaping seems to be awkward and unclear.	Would need to possibly expound what this really means.
		A.	<p>Provide guidelines and standards that will:</p> <ol style="list-style-type: none"> <li>1.Reduce soil erosion and the volume and rate of discharge of storm water runoff.</li> <li>2.Aid in energy conservation by shading structures from energy losses caused by weather and wind.</li> <li>3.Mitigate the loss of natural resources.</li> <li>4.Provide parking lot landscaping to reduce the harmful effects of heat, noise and glare associated with motor vehicle use.</li> <li>5.Create safe, attractively landscaped areas adjacent to public streets.</li> <li>6.Require the planting of street trees along the City's rights-of-way.</li> <li>7.Provide visual screens and buffers that mitigate the impact of conflicting land uses to preserve the appearance, character and value of existing neighborhoods.</li> <li>8.Provide shade, and seasonal color.</li> <li>9.Reduce glare, noise and heat.</li> </ol>	The purpose and intent statement does not address impacts of climate change. Climate change is becoming a immense public concern. Vegetation provides means to counter act climate change.	Would need to possibly added a section identify climate change in the purpose/intent section

Chapter	Code Section	Sub Section	Current Language	Issue	Solution
	17.57.040, 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;	The Sign Code requires Landscape Plans to be submitted when Signs are installed for churches within residential zone. This is unique to Churches in residential zones. There is very little landscaping that would be required but with a high cost of review and approval. It would service the public better if there were some established standards where staff would be able to approve administratively and therefore reduce cost and times to both staff and the public.	Would need to develop a set of very specific standards where staff review and approve. If deviating from the standards, LCR would review and approve.
	17.57.050 Plans - Submittal and review - Approval - Time limit for completion.	E.	All completed landscape projects shall be inspected by the Planning Director or their designee. Said projects shall be found to be in compliance with the approved plans prior to the issuance of an occupancy certificate for the structure, or prior to any security or portion thereof being refunded to the applicant. Minor changes in the landscape plan shall be allowed, as determined by the Planning Director or their designee, as long as they do not alter the character and aesthetics of the original plan	Staff relies on this language quite a bit during inspections. Staff has found with most landscape design projects, there can often be changes in site conditions during construction that require adjustment of the planting. Currently, availability of some plant materials has become an issue. Staff has become fairly flexible in approving field adjustments for these reasons as long as it does not alter the character or aesthetics of the original plan.	No changes are recommended
	17.57.060 Plans	B.	The location in which new plantings will be made and the	Without both common and	Would need to add language to

Chapter	Code Section	Sub Section	Current Language	Issue	Solution
			variety (common or botanical name), and size of all new trees, shrubs, groundcover and lawns;	botanical names listed, it is sometimes unclear on the specific plant. Therefore difficult to determine size, height, or issues with environment, such as noxious or harmful to other animals.	require both common and botanical names.
				It is unclear what size the plant is at installation and maturity. This is information needed for review of the plans for spacing and location.	Would need to add language to require size of plants at installation and at maturity
		E.	All existing and proposed site features including walkways, graveled areas, patios, courts, fences, decks, foundations, potted trees, raised planters, or other open spaces so that the review committee may be fully knowledgeable of the project when discussing the application;	When fencing is used for screening, there is no requirement to submit information on type or height. This is needed to determine if the fence provide the necessary screening.	Would need to require information on fencing type, height and location on plans
		G.	All of the information on the plot plan for the building permit.	It is unclear as to what is required on a building permit. Therefore, plans may not included this information that LRC or staff needs to review the plans. Building permits are required to indicate scale, actual setback of building, all structures on site, location and use, topographical elevations, easements, complete address or street names, north direction arrow, and lot dimensions.	Would need to list the required information and add additional language to have all plants and parking spaces drawn to scale.

Chapter	Code Section	Sub Section	Current Language	Issue	Solution
	17.57.070 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.)	It is unclear of the gross area refers to the gross area of the site or the development. If multiple phases, all the landscaping would be required to be install and most likely in area that will not be developed at time of phase approval or design. Without this being clarified, there is confusion on the public, staff and LRC.	Clarity is needed on gross area meaning. It would be appropriate that it would be based on what is being developed.
			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.)		



## ATTACHMENT B

Chapter	Code Section	Sub Section	Current Language	Issue	Solution
Chapter 17, Landscaping	17.57.070 Area Determination - Planning factors.	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:	There are no clear and objective factors listed here. If these standard were more specific, staff might be able to review and approve small projects administratively to reduce time and cost to all. If deviating from the standards, it would be presented to LCR for review and approve. This could include reduction to minimum gross area of landscaping allowed in 17.57.070A 1-3	Would need to develop clear and objective standards in order to approve or deny due to failure to comply.
			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.	In additions to the comments above for this subsection, there are no standards for parking lot designs. This makes it hard to be consistent	In addition to comments above for this subsection, it would require development of parking lot and island requirements; such as having a maximum area of parking lot until it is physically and visually separated with landscaped planter islands and with a minimum width to provide the necessary plants.
			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.	See above comments for this subsection	See above comments for this subsection

Chapter	Code Section	Sub Section	Current Language	Issue	Solution
			6. Suitable watering facilities or irrigation systems must be included in or near all planted areas;	In addition to comments above for this subsection, It is unclear on what suitable watering facilities or irrigations system is. Some have proposed hand water. Maybe change to requiring permanent underground or drip irrigation system with an exemption for existing mature vegetation, drouth resistant plans with a water schedule. This would allow for water conservation opprotunities.	In addition to comments above for this subsection, the meaning of suitable watering facility needs to be established.



Chapter	Code Section	Sub Section	Current Language	Issue	Solution
Chapter 17.58 Trees	17.58.020 Applicability	A.	Individual significant or historic trees as defined in this ordinance.	There are no definitions of what qualifies as “significant” or “historic” and there are no inventories of these types of trees.	Would need to define significant and historic trees. And maybe develop a process to have trees deemed historic.
		C.	All trees with trunks located completely within any private property which directly affect public infrastructure including but not limited to sewers, water mains, sidewalks, streets, public property, or clear vision distances at street intersections;	LRC have concerns that this infringes on private property rights.	This section would need to be removed.
		D.	All trees on developable land and subject to or undergoing development review such as site plan review, tentative subdivision review, or partition review;	A property could be cleared of all trees before development, where as there is no ability to save significant trees on the property.	Create tree removal limits on vacant land
				LRC has expressed concerns on the private property rights and regulating trees.	Need further discussion for possible direction.
	17.58.050 Review Criteria	A.	The tree is unsafe, dead, or diseased as determined by a Certified Arborist.	If the tree is clearly dead, there is no means to waive the requirement for an Arborist	Would need to either develop a means for the Planning Director to approval or waive the requirement for
		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.	The definition of Development Project needs to clarify the meaning	Would need to develop a more accurate definition.

Chapter	Code Section	Sub Section	Current Language	Issue	Solution
				There have been a couple instances where, for, example, Public Works Engineering will approve a new curb cut/driveway access to a property as allowed by code where the new access requires removal of an otherwise healthy tree. But the tree has not been approved by LRC to be removed. May need to discuss with PW Engineering to require LRC approval prior to issuing a curb cut/driveway permit.	Need further discussion with Public Works for possible direction.
	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.	This requirement has not been historically applied causing inequality with the public.	Need further discussion on enforcement direction
	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.	There are no requirements for single-family residences, except if subject to an approved street tree plan. Many older neighborhoods fall into this situation. By adding single-family residences, it would provide an opportunity to acquire street trees in these older neighborhoods.	Would need to add single-family residences, not subject to an approved street tree plan
	17.58.090 Street Tree Standards	A.	The species of the street trees to be planted shall be chosen from the McMinnville Street Tree List, as approved by Resolution 2016-22 , unless approval of another species is given by the McMinnville Landscape Review Committee.	A new resolution was approved in 2019. By listing the Resolution number, it will be out dated every time a new resolution is approved. It would be better to not list the date of the resolution.	Would need to removed the resolution number.

Chapter	Code Section	Sub Section	Current Language	Issue	Solution
		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.	Not all trees are the same grown width and height to be able to apply Spacing standards based on height and width of a tree.. Armstrong Maple can grow to 45 ft in height but only 15 feet wide. It would be classified as a small and large tree.	Would need to change this section to space based on either width or height
			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.	It tends to be the residential properties that have problems with evenly spacing due to the limited frontage of the property, where as, commercial and industrial zoned properties have the ability to adjust the trees and utilities to be more evenly installed.	Would need to change the residential property to be able to stagger the trees.
		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.	There are more likely be issues in the future with installing a tree within a 3-foot wide planter strip. A 3-foot planter strip is very small to provide adequate room for growth. The smallest recommended planter strip width listed on the street tree list is 4 feet.	Would need to change the minimum to 4 feet to accommodate trees.
		E.	A. 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.	Some of these setbacks seem to be a little extreme. Many municipalities have setbacks from water meters that are less than 10 ft. The code allows variations granted by Public Works.	Would need to discuss with Public Works to see if these setbacks may be reduced as a standard.

Chapter	Code Section	Sub Section	Current Language	Issue	Solution
		F.	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	Usually the street trees removed are well established. This is a good basis for requiring larger-than-standard street trees for development-driven requests for removal.	Would need additional language to require larger street at installation.

Chapter	Code Section	Sub Section	Current Language	Issue	Solution
	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.	There is a disconnect when it comes to the public's knowledge of their responsibilities of street trees. Some type of educational effort to alert the public to their responsibilities vs. the City's would be beneficial for both trees and for staff. Maybe develop	Would need to discuss with Public Works to develop a program or webpage to assist owners.
		B.	Street tree plans, or landscape plans including street trees, shall be maintained in perpetuity. In the event that a street tree must be replaced, the adjacent property owner or developer shall plant a replacement tree of a species from the approved street tree or landscape plan.		
		C.	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.		
		D.	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. Major pruning, as defined in Section 17.58.020, of a street tree must be approved by the City in accordance with Section 17.58.040.		

Chapter	Code Section	Sub Section	Current Language	Issue	Solution
Misc.	Misc.		Urban Forestry Master Plan	Staff would recommend that McMinnville develop an Urban Forestry Master Plan to help guide and shape policies for urban forest management and growth, health, maintenance, replacement strategy, etc. This can really help with some of the issues ; such as ensuring tree canopy equity, development and maintenance of a street tree/public tree inventory, diversity and health of the urban forest,	Urban Forestry Master Plan would need to be developed.
			Public Parks Maintenance	It is not clear on requirements or jurisdiction for public parks. Without clarification, requirements are imposed on the private property owners that are not on public property. This cause inequality between public and private	Work with Public Works to develop a Parks Maintenance & Tree Removal process similar to private parks and development sites.
			Street Tree Assistance Program	There is not a program to assist owners with installing or replacement of Street Tree. Low income citizens may not be able to purchase or pay the fee for a tree replacement.	Develop a Street Tree Assistance Program
			Tree conservation	There is nothing in the code that would prevent owner from clear cutting a property prior to development.	Develop a tree conservation program to protect existing onsite trees.
			Street Tree Plan	To provide consistency of types of Street Trees along a street, develop a requirement to install a tree that is prodominate along the street.	Devleop code language to require a tree to be the type that is prodominate along the street.