

**Landscape Review Committee
ZOOM Online Meeting
Wednesday, February 16, 2022 - 12:00 PM**

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

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Meeting ID: 830 0204 7920
Passcode: 340715

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Committee Members	Agenda Items
John Hall. Chair	1. Call to Order
Rob Stephenson, Vice Chair	2. Citizen Comments
	3. Approval of Minutes <ul style="list-style-type: none"> July 28, 2021 (<i>Exhibit 1</i>)
Patty Sorensen	4. Discussion Items <ul style="list-style-type: none"> Development Code Section 17.57 and 17.58 Revisions (<i>Exhibit 2</i>) Proposed code revisions Section 17.57(Attachment A). Table of items for continued discussion (Attachment B)
Carlton Davidson	5. Old/New Business
Brian Wicks	6. Committee Member Comments
	7. Staff Comments
	8. Adjournment

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

*Please note that these documents are also on the City's website, www.mcminnvilleoregon.gov. You may also request a copy from the Planning Department.



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

www.mcminnvilleoregon.gov

MINUTES

July 28, 2021
Landscape Review Committee
Regular Meeting

12:00 pm
ZOOM Meeting
McMinnville, Oregon

Members Present: Carlton Davidson, John Hall, Patty Sorenson, and Rob Stephenson
Members Absent: Josh Kearns
Staff Present: Heather Richards – Planning Director and Amy Dixon – Contract Planner
Guests Present: Scott Hill – Mayor and Zack Geary – City Councilor

1. Call to Order

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

Planning Director Richards introduced Contract Planner Dixon. The Committee introduced themselves as well.

2. Citizen Comments

None

3. Action/Docket Item (repeat if necessary)

- L 15-21 – Landscape Plan - 1245 NE Alpha Drive

Contract Planner Dixon reviewed the landscape plan for 1245 NE Alpha Drive. It was currently an undeveloped industrial property. The applicant was proposing to build four multi-tenant buildings. She discussed the site plan with landscaping along Riverside and Alpha. The property already had utilities. Public Works submitted comments about half street improvements with 3.5 foot planter strip and 5 foot sidewalks on Alpha to accommodate trucks, removing trees out of the right-of-way that might conflict with the sewer line, all trees proposed were on the street tree list, and all trees needed root barrier and should follow set back requirements. McMinnville Water & Light said there would be future water facilities and they would need to maintain clearances. The applicant was providing 15.5% landscaping, and only 7% was required. The plants were focused on the perimeter, which was consistent with the area. There was a condition that if the trees were in conflict with the utilities, they would not conflict with overhead lines. There would be no landscaping on the backsides of the buildings, but there would be landscaping at the turn around and driveway entrance. There were no existing trees on the property. Parking lot islands with trees

were proposed to provide shade. There would also be irrigation to maintain the landscaping. She discussed the conditions of approval.

There was discussion regarding the use of Zelkova trees and rosa rugosa, confirming the proposed Nandina did not produce berries that were poisonous to birds, and removing the Laurel Cherry between the buildings.

Committee Member Sorenson suggested banning the use of Nandina based on information from the Audubon Society. There was discussion regarding the suggestion.

Planning Director Richards thought if they wanted to ban Nandina, they needed to do a study on plants that were harmful to animals that they wanted to ban from landscaping plans and adopt it in the code. Staff could forward the Committee's concern to the applicant.

There was further discussion regarding the two trees to be relocated off the right-of-way to the opposite side of the sidewalk due to utilities and whether or not to substitute the trees for a smaller species since they would be near the building or leave them as Zelkova.

There was consensus to leave them as Zelkova to be consistent with the landscape plan and to change Condition #3 to say the two trees located on the right-of-way would be relocated to the opposite side of the sidewalk.

Committee Member Stephenson moved to approve L 15-21 with the amended conditions. The motion was seconded by Committee Member Sorenson and passed 4-0.

4. Old/New Business

- Development Code Revisions

Planning Director Richards asked if the Committee wanted to work with Contract Planner Dixon on the development code amendments over the next few months.

There was consensus to move forward with the revisions.

Chair Hall said they also wanted to streamline paperwork and reduce or eliminate redundancy. He thought the Committee only needed the decision document, not a staff report too.

There was consensus for staff to only provide a decision document for applications.

5. Committee Comments

Committee Member Sorenson attended Zoom meetings on Tree City USA. This was a yearly application the City had to do to be a Tree City USA city.

Committee Member Davidson asked if the Committee had any jurisdiction over the City's parks. Planning Director Richards said there was code language that gave the Committee authority, but historical practices and internal policies that didn't. It could be a future discussion.

Committee Member Davidson thought it would be beneficial for the City to get advice from the Committee. It was difficult to expect businesses and residents to abide by the code and

standards when the City's parks did not, especially in terms of irrigation, replanting trees, and maintenance.

Committee Member Stephenson agreed that the condition of the City's parks showed no pride of ownership. It did not seem like anyone cared about the parks anymore.

Planning Director Richards suggested bringing the in Parks and Public Works staff to have a discussion with the Committee about this.

Chair Stephenson thought they should also give input on public improvement projects.

Committee Member Sorenson thought mulch was better to use instead of natural rock for projects.

6. Staff Comments

Planning Director Richards discussed staff recruitment.

7. Adjournment

Chair Hall adjourned the meeting at 1:02 p.m.



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EXHIBIT 2 - STAFF REPORT

DATE: February 9, 2022
TO: Landscape Review Committee Members
FROM: Monica Bilodeau, Senior Planner
SUBJECT: Code Amendments, Chapter 17.57, Landscaping, and Chapter 17.58, Trees

STRATEGIC PRIORITY & GOAL:



GROWTH & DEVELOPMENT CHARACTER

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

OBJECTIVE/S: Define the unique character through a community process that articulates our core principles

Report in Brief:

This is the continued discussion of proposed amendments to Chapter 17.57 and 17.58 of the Zoning Code. Attachment A are draft code amendments to Section 17.57 to be discussed. Attachment B are those items that still need to be discussed.

Background:

Landscape Review Committee (LRC) and staff have identified various sections that need amended for clarity of purpose, intent and implementation of the Chapters, ease of use by LRC, staff and the public, and establishing specific standards and guidelines.

Issues for Consideration and Discussion:

Because the Chapters regulate land use design and the Oregon legislation allows cities to adopt “reasonable local regulations relating to siting and design,” the McMinnville City Council, with recommendations from Landscape Review Committee and Planning Commission, will need to determine which standards best fit the community. Attached are staff recommendations for changes to these chapters for your consideration and discussion.

Next Steps:

There is no necessary formal Committee action as part of this work session. The Landscape Review Committee should convene a preliminary discussion about possible changes to the chapters that might best fit the community. It will be an opportunity to ask questions, provide feedback, and direct staff to proceed with drafting preliminary code amendments. Staff will then bring back the draft amendments for consideration as an action item at a future meeting.

ATTACHMENT A

Chapter 17.57

LANDSCAPING

Sections:

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

17.57.010 Purpose and intent. The purpose and intent of this Chapter is to 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.
 - 10. Address changes to environment and climate.**
- 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. (Ord. 5027 §2, 2017; Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

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

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

- A. R-4 (Multiple-Family Residential zone, except the construction of a Single-Family or Two-Family Residential unit);
- B. C-1 (Neighborhood Business zone);
- C. C-2 (Travel Commercial zone);
- D. C-3 (General Commercial zone);
- E. O-R (Office/Residential zone);
- F. M-L (Limited Light Industrial zone);
- G. M-1 (Light Industrial zone);
- H. M-2 (General Industrial zone). (Ord. 5027 §2, 2017; Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

17.57.040 Specific uses requiring landscaping.

- A. **Non-Residential Uses** Churches, subject to the landscaping requirements of a multiple-family development when in a residential zone ~~and subject to~~

Commented [DA1]: I would check with counsel to see if it is constitutional allowed to single out churches. Also, other non-residential uses should be subjected to the same landscaping requirements.

the landscaping requirements of a commercial development when in a zone other than residential;

- B. Utility substations, **shall be screened and fenced and** subject to the landscaping requirements of commercial uses.
- C. ~~Mobile home~~ **Manufactured Dwelling** park, subject to the requirements of a multiple-family development;
- D. Multiple-family, commercial, and industrial uses in residential planned developments, subject to the landscaping requirements of the type of use in the planned development.
- E. **Satellite dish in residential zone shall be screened from abutting or facing residential properties by a sight obscuring fence, wall, or planting.** (Ord. 5027 §2, 2017; Ord. 4264 §1, 1983; Ord. 4254 §1, 1983; Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

Commented [DA2]: Under definitions, Mobile home parks is to see Manufacture dwelling parks.

Commented [DA3]: This is from other section of the code. It should be here with the other chapters referencing this chapter for compliance

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

- A. At the time the applicant applies for a building permit, they shall submit, for the Landscape Review Committee, two copies of a landscaping and plot plan. If the plot plan and landscaping plan are separate documents, two copies of each shall be submitted. These may be submitted to the Building Department to be forwarded to the Planning Department.
 - 1. No building permit shall be issued until the landscaping plan has been approved.
 - 2. The landscaping plan may be used as the plot plan required for a building permit, provided all information required for a building permit is provided;
- B. Landscaping review shall occur within 30 (thirty) days of submission of the plans. The applicant shall be notified of the time and place of the review and is encouraged to be present, although their presence shall not be necessary for action to be taken on the plans. A failure to review within 30 (thirty) days shall be considered as approval of the plan;
- C. The landscaping plan shall be approved if it is found to be compatible with the purpose, intent, and requirements of this chapter. Approval of the landscaping plan shall be indicated upon the plot plans. Any modifications shall be specified on the plans and agreed to in writing by the applicant prior to the issuance of a building permit. One copy of said approved plan shall be retained by the Planning Department and included within the permanent file;
- D. Occupancy permits may be issued prior to the complete installation of all required landscaping if security equal to 120 percent of the cost of landscaping, as determined by the Planning Director is filed with the City assuring such installation within a time specified by the Planning Director, but not to exceed six months after occupancy. The applicant shall provide the estimates of landscaping materials and installation to the satisfaction of the Planning Director prior to approval of the security. "Security" may consist of a faithful performance bond payable to the City, cash, certified check, time certificate of deposit, or assignment of a savings account, and

the form shall meet with the approval of the City Attorney. If the installation of the landscaping is not completed within the period specified by the Planning Director, or within an extension of time authorized by the Landscape Review Committee, the security may be used by the City to complete the installation. Upon completion of the installation, inspection, and approval, any portion of the remaining security deposited with the City shall be returned. The final landscape inspection shall be made prior to any security being returned. Any portions of the plan not installed, not installed properly, or not properly maintained shall cause the final inspection and/or approval to be postponed until the project is completed or cause the security to be used by the City;

- E. All completed landscape projects shall be inspected by the Planning Director or their designee. Said projects shall be found to be in compliance with the approved plans prior to the issuance of an occupancy certificate for the structure, or prior to any security or portion thereof being refunded to the applicant. Minor changes in the landscape plan shall be allowed, as determined by the Planning Director or their designee, as long as they do not alter the character and aesthetics of the original plan. (Ord. 5027 §2, 2017; Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

17.57.060 Plans—Information to be included. The following information shall be included ~~in~~on the plot plans submitted under Section 17.57.050:

- A. Existing locations of trees over six inches in diameter, their variety (common ~~and~~or botanical name) and indication of whether they are to remain or to be removed from the site. **Method of protection of trees and shrubs to remain shall be indicated.** In the event a large number of trees are to be retained and if no construction or construction access is required through or within the drip line of the trees, the general area with the number of trees involved may be given in lieu of listing and locating each tree;
- B. The location in which new plantings will be made and the variety (common ~~and~~or botanical name), and size of all new trees, shrubs, groundcover and lawns **at maturity**;
- C. The percentage of the gross area to be landscaped;
- D. Any equipment proposed for recreation uses;
- E. All existing and proposed site features including walkways, graveled areas, patios, courts, fences, decks, foundations, **structures**, potted trees, raised planters, or other open spaces **with construction details, location, setbacks, and any additional information necessary** so that the review committee may be fully knowledgeable of the project when discussing the application;
- F. The location of watering facilities or irrigation systems, or construction notes on the landscape plan detailing the type of watering facilities or irrigation systems that will be installed **or to be used**;
- G. All of the **following** information: ~~on the plot plan for the building permit.~~
 - 1. **North arrow.**
 - 2. **Drawn to scale (standard architectural or engineering).**

3. Lot and building setback dimensions.
 4. Property corner elevations (if there is more than a 4-foot elevation differential, site plan must show contour lines at 2-foot intervals).
 5. Location of easements and driveway (existing and proposed).
 6. Footprint of new structure (including decks).
 7. Location of wells and septic systems.
 8. Utility locations.
 9. Lot area, building coverage area, percentage of coverage and impervious area.
 10. Surface drainage.
 11. Location and extent of fill on the lot.
 12. Existing and platted street names and other public ways.
- H. For any addition or expansion of an existing structure or parking lot which results in additional lot coverage and in addition to other requirements set forth in this subsection, square footage of existing lot coverage, (building area, not including basement or upper floors, and parking or loading areas) and the square footage of the additional lot coverage. (Ord. 5027 §2, 2017; Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

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 of the development site. This may be reduced to not less than five percent upon approval of the review committee. (The gross area to be landscaped may only be reduced by the review committee if there is a showing by the applicant that the intent and purpose of this chapter and subsection B of this section are met.)
 2. Commercial, at least seven percent of the gross area of the development site. 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 of the development site. This may be reduced to not less than fifteen percent upon approval of the review committee. (The gross area to be landscaped may only be reduced by the review committee if there is a showing by the applicant that the intent and purpose of this chapter and subsection B of this section are met.)
 4. A surface parking lot or parking structure, not associated with any other use, built in any zone providing parking spaces as required by ~~the zoning ordinance~~ shall be landscaped in accordance with the commercial requirements set forth above in subsection 2 of this section.

5. Any addition to or expansion of an existing structure or parking lot which results in additional lot coverage shall be landscaped as follows: Divide the amount of additional lot coverage (building area, not including basement or upper floors, plus any additional required parking and loading zones) by the amount of the existing lot coverage (building area, not including basement or upper floors, plus any additional required parking and loading zones), multiply by the percentage of landscaping required in the zone, multiply by the total lot area of both the original development and the addition; however, the total amount of the landscaping shall not exceed the requirements set forth in this subsection.

a. ALC (additional lot coverage) X % of landscaping required X Total lot area
ELC (existing lot coverage)

- b. Landscaping to be installed for on an addition or expansion may be spread over the entire site (original and addition or expansion projects) with the approval of the review committee;
- c. Landscaping and fencing requirements shall be superseded by the requirements in Section 17.54.080, Clear Vision Area, and 17.54.090, Fences.
- d. Landscaping, including scrubs, on the development site shall meet requirements in Section 17.58.090, Street Tree Standards.

- B. The following factors shall be considered addressed by the applicant when planning designing the landscaping in order to accomplish the purpose set out in Section 17.57.010. The Landscape Review Committee shall have the authority to deny an application for failure to comply with any or all of these conditions:

- ~~1. Compatibility with the proposed project and the surrounding and abutting properties and the uses occurring thereon.~~
2. Sight-obscuring screening of the proposed use shall be by sight-obscuring, evergreen plantings, shade trees, fences, or combinations of plantings and screens. The screening abutting adjacent properties shall conform to the following standards:
 - A. Height. Fences and walls shall be a minimum of six feet in height. Landscaping shall be of a species that will attain a height of at least six feet within three years after planting.
 - B. Opacity. Screening shall be sight-obscuring. Fences, walls, and landscaping shall be at least 75 percent opaque when viewed from any angle at a point 25 feet away from the fence, wall, or landscaping.
3. The retention of existing trees and natural areas that may be incorporated in the development of the project. The existing grade

- should~~shall~~ be preserved to the maximum practical degree. Existing trees to remain shall be protected during construction as provided under Chapter 17.58. Existing trees shall be provided with a watering area equal to at least one-half the crown area.
4. **Parking Areas.** The development and use of islands and plantings shall be incorporated to break up parking areas as follows:
- A. To minimize large expanses of continuous pavement, parking areas greater than 6,000 square feet in area shall be physically and visually separated with landscape islands. These separated parking areas may be connected by a drive aisle or driveway.
- B. A minimum of one deciduous shade tree shall be planted for every ten (10) contiguous parking spaces within a parking area. Trees may be clustered within landscape islands or planter bays, and shall be distributed throughout the parking area to create a canopy effect and to break up expanses of paving and long rows of parking spaces.
- C. Landscape islands and planter bays.
- i. Landscape islands and planter bays shall have a minimum planting area of 25 square feet, and shall have a minimum width of five feet, excluding curb.
- ii. Each planter island shall contain tree and scrubs.
- D. Driveway Entryway. Each driveway entryway shall be bordered by a minimum five-foot-wide landscaping planter strip on both sides of entryway with the same landscaping provisions as planter island.
- E. Surface parking areas shall be landscaped within the required buffer strip located along the streetside edge of all surface parking lots with a wall, thirty (30) inches in height, hedge or dense landscaping. Landscaping within the buffer strip shall include trees selected as appropriate to the situation and spaced according to its type, shrubs spaced a minimum of three feet on center, and groundcover.
- F. Surface parking areas shall be separated from the exterior wall of a structure by a five-foot landscaping strip or pedestrian walkways or loading areas.
- G. Certain trees shall be prohibited in parking areas: poplar, willow, fruit, nut, birch, conifer, and ailanthus.
5. The use of suitable street trees in the development of new subdivisions, shopping centers and like developments as required by Chapter 17.58.
6. SuitablePermanent underground or drip watering facilities or irrigation systems must be shall included in or near all planted areas; the following:
- A. Lawn valves shall be separated from non-lawn zones.

Commented [DA4]: This comes from another chapter of the code.

Commented [DA5R4]:

- B. Irrigation heads shall be maximum spaced with “head-to-head” coverage.
 - C. All station valves shall have adjustable flow control valves, pressure reducing valves or other devices to minimize “misting” of water droplets.
 - D. Bed valves shall be separate by sun exposures.
 - E. Irrigation Controllers shall have the following minimum specifications:
 - a. A minimum of four (4) independent programs;
 - b. Station run time from 1-200 minutes;
 - c. Three start times per program;
 - d. Water budgeting from 0-200% increments, by program;
 - e. Battery backup;
 - f. Rain shut-off device; and
 - g. “Off,” “On,” and “Manual” operation modes without disturbing program.
 - F. A permanent underground or drip irrigation system is not required for:
 - a. Existing healthy vegetation that has been established for at least two years and that is being preserved to meet the landscaping requirements under this chapter;
 - b. New vegetation that is drought resistant, in which case a two-year plant establishment schedule shall be provided with the landscaping plan describing the amount of water to be applied over a two-year time period and how that water will be distributed to the plant material; or
 - c. New vegetation located within stormwater facilities as required by the Public Works Design Standards, in which case a two-year plant establishment schedule shall be provided with the landscaping plan describing the amount of water to be applied over a two-year time period and how that water will be distributed to the plant material.
 - 7. Trash Enclosure. Any trash or recycling enclosure which is visible from the street shall provide landscaping to screen the structure from the street view. 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.
- C. All landscaping **and screening** approved through the Landscape Review Committee shall be continually maintained, including necessary watering, weeding, pruning, mowing, and replacement. Minor changes in the landscape plan, such as like-for-like replacement of plants, shall be allowed, as long as they do not alter the character and aesthetics of the original plan. It shall be the Planning Director's decision as to what constitutes a major or minor change. Major changes to the landscape plan shall be reviewed and

Commented [DA6]: At request of John, Landscaping Chair.

Commented [DA7]: PW is working on stormwater detention code and may have ideas about landscaping and watering in these areas

Commented [DA8]: Removed the requirement for 3 sides to be landscaped. It seems to be excessive and make meeting the requirement difficult with openings needed in the enclosure.

approved by the Landscape Review Committee. (Ord. 5027 §2, 2017; Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

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

- A. Area I is that area between Adams Street and the railroad tracks and between Second and Fourth Streets. The landscaping requirements set forth herein shall not apply to this portion of the central business district, except for the provision of street trees according to the city's master plan;
- B. Area II is defined as being that area between Adams and Kirby Streets from First to Fourth Streets, excluding the area in subsection A above. One-half of the landscaping requirements set forth in Section 15.57.050 above shall apply to this area. (Ord. 5027 §2, 2017; Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

REDUCED LANDSCAPING REQUIREMENTS



Area I — No Required Landscaping



Area II – One-Half Required Landscaping

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

17.57.100 Appeal—Planning Commission to act when.

- A. In the event the landscaping is disapproved by the review committee, the applicant may appeal to the Planning Commission within 15 (fifteen) days after the review committee has considered the plan. The matter shall be set for review by the Planning Commission as set forth in subsection B of this section;
- B. If, after review, the review committee cannot or does not reach a decision on the landscaping plan submitted, the application shall be forwarded to the Planning Commission for review and final disposition. Action on the application will occur at the next regularly scheduled meeting, or with the approval of the Planning Commission chairman, at a work session if scheduled sooner. The applicant shall be notified of the time and place of the review by the Planning Commission and may choose to be present. The absence of the applicant shall not preclude the Planning Commission from reaching a decision;
- C. The review committee may, at their discretion, continue an application pending submittal of further information or detail. (Ord. 5027 §2, 2017; Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

OTHER CHAPTERS NEEDING AMENDED:

17.59.060 Surface Parking Lots.

- C. ~~A hedge or wall, thirty (30) inches in height, or dense—~~Landscaping within a buffer strip a minimum of five feet in width shall be placed along the streetside edge of all surface parking lots. ~~Landscaping within the buffer strip shall include street trees selected as appropriate to the situation and spaced according to its type, shrubs spaced a minimum of three feet on center, and groundcover.~~ A landscaping plan for this buffer shall be subject to review and approval by the McMinnville Landscape Review Committee. (Ord. 4797 §1, 2003).

17.61.030 – Guidelines and Standards.

- C. Any trash or recycling enclosure which is visible from the street must provide landscaping **as required by Chapter 17.57.** ~~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.~~

17.62. 070 Permanent Sign Regulations. Permanent signs may be erected and maintained only in compliance with the following specific provisions: A. Residential (R-1, R-2, R-3, and R-4) zones.

3. Each church is permitted one (1) non-illuminated or indirectly illuminated permanent sign per public street frontage. No sign shall be taller than six (6) feet in height. If a church site has more than one frontage, the first sign shall be no larger than thirty (30) square feet in area and any subsequent sign may be no larger than six (6) square feet in area. Signs may include changeable copy (manual or electronic). Signs must be a minimum of ten (10) feet back from any property line. ~~Landscaping shall be provided at the base of the sign, consistent with a plan to be submitted by the applicant for review and approval by the McMinnville Landscape Committee.~~

Commented [DA9]: I would check with counsel to see if it is constitutional allowed to single out churches.

OTHER AREAS NEEDING ADDRESSED:

1. When developing the process for tree removal administrative review without LRC review, use the same process for adding landscaping less than 500 sq feet.
2. Might want to add following section:
 - a. Applicability – This will clarify when to apply the standards.
 - b. Exemption – This will allow the for the 500 sq ft administrative review
 - c. Waiver – this will give the applicant allowances if they cannot meet all the requirements and the committee a means to approve them.

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.