



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

www.mcminnvilleoregon.gov

Landscape Review Committee
Community Development Center, 231 NE 5th Street
November 21, 2018
12:00 PM

Committee Members	Agenda Items
<p>Rob Stephenson Chair</p> <p>Sharon Gunter Vice-Chair</p> <p>Josh Kearns</p> <p>RoseMarie Caughran</p> <p>Tim McDaniel</p>	<ol style="list-style-type: none"> 1. Call to Order 2. Citizen Comments 3. Approval of Minutes 4. Action Items <ol style="list-style-type: none"> A. L 42-18 – Street Tree Removal (Exhibit 1) 714 NE Cows Street B. L 43-18 – Street Tree Improvement Plan (Exhibit 2) Cottonwood Street Tree Improvement Plan C. L 44-18 – Street Tree Removal (Exhibit 3) 1895 NW 8th Street 5. Discussion Items <ol style="list-style-type: none"> A. Street Tree List Update (Exhibit 4) B. 2019 Work Plan (Exhibit 5) 6. Old/New Business 7. Committee Member Comments 8. Staff Comments 9. Adjournment

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

*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

EXHIBIT 1 - STAFF REPORT

DATE: November 21, 2018
TO: McMinnville Landscape Review Committee
FROM: Jamie Fleckenstein, PLA, Associate Planner
SUBJECT: Agenda Item 4A: L 42-18

Report in Brief:

An application for a street tree removal (L 42-18) to be reviewed by the Landscape Review Committee.

Background:

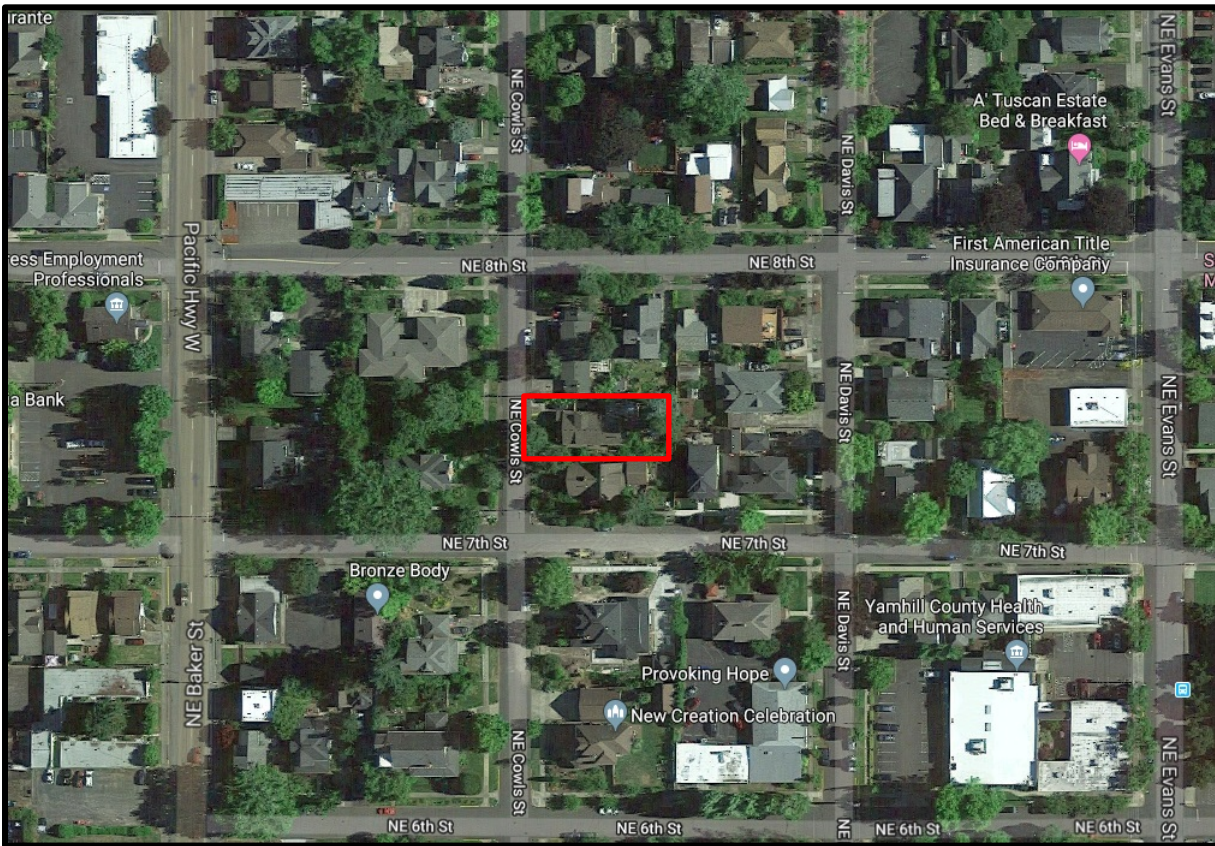
The applicant and adjacent property owner, Eric Baughman, submitted a street tree removal application to remove one (1) street tree from the property located at 714 NE Cows Street. The subject property is more specifically described as Tax Lot 12900, Section 21BB, T. 4 S., R. 4 W., W.M.

Discussion:

The subject property is a single family property in northeast McMinnville, just north of downtown McMinnville near the intersection of NE 7th Street and NE Cows Street. The subject site can be seen below as a red outlined area:

Attachments:

Attachment A – Decision, Conditions of Approval, and Findings of Fact of the McMinnville Landscape Review Committee for Approval of a Street Tree Removal at 714 NE Cows Street



The applicant requested the removal of the street tree because it potentially hazardous and it has caused damage to the sidewalk. The tree in question is a *Pseudotsuga menziesii* (Douglas Fir) that measures approximately 28 inches DBH (diameter at breast height) and over 100 feet in height, and appears to be in good health. The tree is located on the NE Cows Street right-of-way on the west side of the property, in a planter strip that is approximately eight (8) feet in width. Overhead communication lines exist in the right-of-way in this location.

The applicant states that the fir tree has dropped numerous large branches over the 16 years since they purchased the home. The applicant hired an arborist to thin the tree, but the problem persisted. One large branch fell on the applicant's car parked below it on the street, severely damaging the roof, windshield, and hood.

The applicant also states as a reason for requesting removal of this street tree the damage to the public improvements its root system is causing. The sidewalk is substantially heaved in multiple locations, and the roots have damaged the curb and buckled the street to the point where water does not drain properly.

The applicant notes that *Pseudotsuga menziesii* (Douglas Fir) is not found on McMinnville's Approved Street Tree List, and is not commonly used as a street tree because the species exhibits characteristics that are not typically suitable for street trees. Specifically, Douglas Firs' large size leads to large root systems that can interfere with sidewalks and other public infrastructure, and large branches that drop and pose hazards to any targets below the tree.

The following photos show the tree and condition of the adjacent sidewalk:

Attachments:

Attachment A – Decision, Conditions of Approval, and Findings of Fact of the McMinnville Landscape Review Committee for Approval of a Street Tree Removal at 714 NE Cows Street



Attachments:

Attachment A – Decision, Conditions of Approval, and Findings of Fact of the McMinnville Landscape Review Committee for Approval of a Street Tree Removal at 714 NE Cows Street



Attachments:

Attachment A – Decision, Conditions of Approval, and Findings of Fact of the McMinnville Landscape Review Committee for Approval of a Street Tree Removal at 714 NE Cows Street

The applicant indicates that they would like to plant two (2) new street trees in place of the one (1) requested for removal, but they have not indicated a replacement species. The two (2) replacement trees would be selected from McMinnville's Approved Street Tree List.

Review Criteria:

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

- A. The tree is unsafe, dead, or diseased as determined by a Certified Arborist.

The tree in question does not display any obvious evidence of health issues, significant distress, or structural issues. No arborist's assessment was submitted with the application. The tree, however, has a reported history of large limb failure that has resulted in damage of private property. Future limb failures could pose risks to targets in the public right-of-way and cause damage or injury. Therefore, the Landscape Review Committee could consider this tree unsafe, and this criteria is satisfied.

- B. The tree is in conflict with public improvements.

The applicant has provided evidence of the damage that has been caused by tree roots to the sidewalk adjacent to the property. The tree has a shallow root system, with some larger surface roots that are running beneath the sidewalk immediately adjacent to the tree. This has caused significant lifting and cracking of the sidewalk panels along the property frontage to the point where it is becoming a safety hazard in the public right-of-way. Upon inspection of the site, Public Works staff determined that the street tree roots have lifted the adjacent sidewalk in several locations past the point of simple grinding to address the trip hazard. Additionally, Public Works staff cite that the adjacent curb and asphalt have been disrupted, causing drainage issues along the street. Therefore, the street tree removal request satisfies this criteria, as the tree is in conflict with public improvements adjacent to the subject property.

- 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.

This criteria is not applicable, as the tree is not part of an approved development or public improvement project.

Tree Replacement:

Section 17.58.040(D) (Tree Removal/Replacement) of the McMinnville Zoning Ordinance states that "Approval of a request to remove a tree may be conditioned upon replacement of the tree with another tree approved by the city, or a requirement to pay to the city an amount sufficient to fund the planting and establishment by the city of a tree, or trees, of similar value."

The applicant did propose planting two (2) new street trees in place of the one (1) requested for removal, but a replacement species was not indicated in the application. The two (2) replacement trees would be selected from McMinnville's Approved Street Tree List. There is no approved street tree plan in place for NE Cows Street. A condition of approval has been included to require that the tree to be removed shall be replaced with an approved small street tree from the McMinnville Street Tree List.

Fiscal Impact:

None.

Attachments:

Attachment A – Decision, Conditions of Approval, and Findings of Fact of the McMinnville Landscape Review Committee for Approval of a Street Tree Removal at 714 NE Cows Street

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.

Recommendation/Suggested Motion:

If the Landscape Review Committee finds that the proposed removal will result in the mitigation of current and future risk due to an unsafe, dead, or diseased tree, or that the tree is in conflict with public improvements, staff is recommending that the street tree removal be approved with the following conditions:

1. That all costs and liability associated with the tree removal, stump grinding, and tree replacement shall be borne by the applicant.
2. That the applicant contact the appropriate utility-locate service (dial 811 or 800-332-2344) prior to stump grinding to ensure that underground utilities are not damaged during this process.
3. That the tree's stump and remaining surface roots shall be removed at least six (6) inches below grade. At least a two inch thick layer of topsoil shall be placed over the remaining stump and surface roots. The area shall be crowned at least two inches above the surrounding grade to allow for settling and shall be raked smooth. The applicant shall restore any damaged turf areas and grades due to vehicular or mechanical operations.
4. That the tree to be removed shall be replaced with one (1) small street tree from the McMinnville Street Tree List suitable for location under overhead wires.
5. That the replacement tree 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.
6. That the replacement tree shall be planted per the approved City detail (see enclosure). The applicant shall provide root barrier protection in order to minimize sidewalk and tree root conflicts. The barrier shall be placed on the public sidewalk side of the tree and the curb side of the tree. The root barrier protection shall be placed in 10-foot lengths, centered on the tree, and to a depth of eighteen (18) inches. In addition, the tree shall be provided with two (2) deep watering tubes to promote deep root growth.
7. That the applicant shall contact the McMinnville Public Works Department at (503) 434-7316 to discuss specific staking, watering tube requirements, and to schedule an inspection prior to backfilling.

Attachments:

Attachment A – Decision, Conditions of Approval, and Findings of Fact of the McMinnville Landscape Review Committee for Approval of a Street Tree Removal at 714 NE Cows Street

8. That the applicant is reminded that trees are not to be planted within:
 - a. Five (5) feet of a private driveway or alley;
 - b. Ten (10) feet of a fire hydrant, transformer, power or water vault, water meter box, utility pole, sanitary sewer, storm or water line; or
 - c. Twenty (20) feet of street light standards or street intersections.
9. That the planter areas shall be restored to original grade immediately following the planting of the replacement trees.
10. That the applicant shall complete the tree removal and tree replacement within six (6) months of this approval notification, or May 21, 2019.
11. That the applicant shall repair/replace damaged sidewalk panels per City code. A sidewalk permit is required and can be obtained from the McMinnville Engineering Department at (503) 472-7312.

Suggested Motion:

THAT BASED ON THE FINDINGS OF FACT, THE CONCLUSIONARY FINDINGS FOR APPROVAL, AND THE MATERIALS SUBMITTED BY THE APPLICANT, THE LANDSCAPE REVIEW COMMITTEE APPROVE L 42-18 WITH THE CONDITIONS OF APPROVAL AS RECOMMENDED BY STAFF.

JF

Attachments:

Attachment A – Decision, Conditions of Approval, and Findings of Fact of the McMinnville Landscape Review Committee for Approval of a Street Tree Removal at 714 NE Cows Street



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

503-434-7311
www.mcminnvilleoregon.gov

**DECISION, CONDITIONS OF APPROVAL, AND FINDINGS OF FACT OF THE MCMINNVILLE
LANDSCAPE REVIEW COMMITTEE FOR THE APPROVAL OF A STREET TREE REMOVAL AT
714 NE COWLS STREET**

DOCKET: L 42-18 (Street Tree Removal)

REQUEST: The applicant requested the removal one (1) street tree adjacent to the subject property.

LOCATION: The subject property is located at 714 NE Cows Street. The subject property is more specifically described as Tax Lot 12900, Section 21BB, T. 4 S., R. 4 W., W.M.

ZONING: The subject site is zoned R-4 (Multi Family Residential).

APPLICANT: Eric Baughman

STAFF: Jamie Fleckenstein, PLA, Associate Planner

DATE DEEMED COMPLETE: October 29, 2018

HEARINGS BODY: McMinnville Landscape Review Committee

DATE & TIME: November 21, 2018

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

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

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

COMMENTS: This matter was referred to the following public agencies for comment: McMinnville Public Works Department and McMinnville Water and Light. Comments were received by the Planning Department and have been incorporated into the conditions of approval. No public notice of the application was required by the McMinnville Zoning Ordinance. No additional comments were received by the Planning Department.

DECISION

Based on the findings and conclusions, the Landscape Review Committee recommends **APPROVAL** of the street tree removal (L 42-18) **subject to the conditions of approval provided in this document.**

DECISION: APPROVAL WITH CONDITIONS

Planning Staff:

Jamie Fleckenstein, Associate Planner

Date: November 21, 2018

Planning Department:

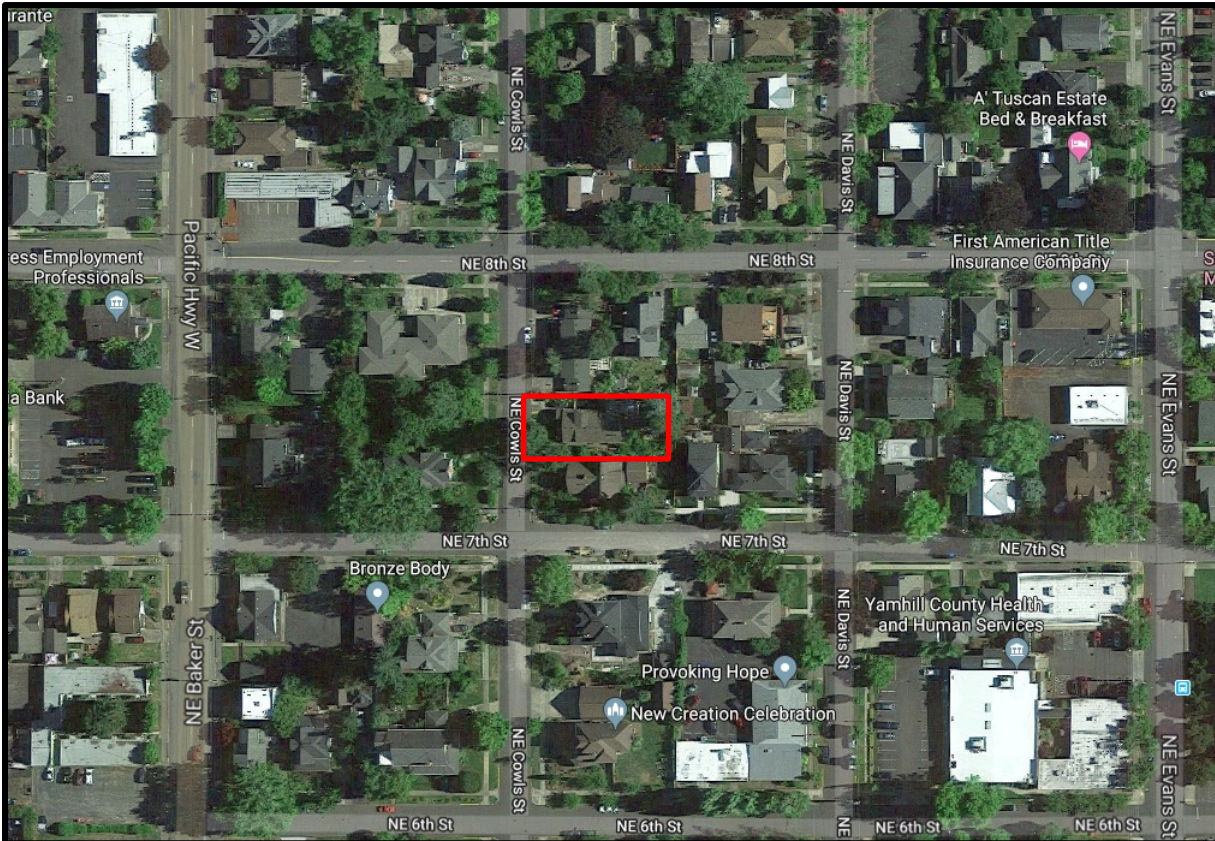
Heather Richards, Planning Director

Date: November 21, 2018

APPLICATION SUMMARY:

The applicant requested the removal of one (1) street tree adjacent to the subject property. The subject property is a single family property in northeast McMinnville at 714 NE Cows Street. The tree requested for removal is located in the Cows Street public right-of-way adjacent to the subject property. The removal of a tree within the public right-of-way requires City approval.

The subject site can be seen below as a red outlined area:



The applicant requested the removal of the street tree because it potentially hazardous and it has caused damage to the sidewalk. The tree in question is a *Pseudotsuga menziesii* (Douglas Fir) that measures approximately 28 inches DBH (diameter at breast height) and over 100 feet in height, and appears to be in good health. The tree is located on the NE Cows Street right-of-way on the west side of the property, in a planter strip that is approximately eight (8) feet in width. Overhead communication lines exist in the right-of-way in this location.

The applicant states that the fir tree has dropped numerous large branches over the 16 years since they purchased the home. The applicant hired an arborist to thin the tree, but the problem persisted. One large branch fell on the applicant's car parked below it on the street, severely damaging the roof, windshield, and hood.

The applicant also states as a reason for requesting removal of this street tree the damage to the public improvements its root system is causing. The sidewalk is substantially heaved in multiple locations, and the roots have damaged the curb and buckled the street to the point where water does not drain properly.

The applicant notes that *Pseudotsuga menziesii* (Douglas Fir) is not found on McMinnville's Approved Street Tree List, and is not commonly used as a street tree because the species exhibits characteristics

Attachments:

Attachment 1 – Application for Street Tree Removal

that are not typically suitable for street trees. Specifically, Douglas Firs' large size leads to large root systems that can interfere with sidewalks and other public infrastructure, and large branches that drop and pose hazards to any targets below the tree.

The following photos show the tree and condition of the adjacent sidewalk:





CONDITIONS OF APPROVAL:

L 42-18 is **approved** subject to the following conditions:

1. That all costs and liability associated with the tree removal, stump grinding, and tree replacement shall be borne by the applicant.
2. That the applicant contact the appropriate utility-locate service (dial 811 or 800-332-2344) prior to stump grinding to ensure that underground utilities are not damaged during this process.
3. That the tree's stump and remaining surface roots shall be removed at least six (6) inches below grade. At least a two inch thick layer of topsoil shall be placed over the remaining stump and surface roots. The area shall be crowned at least two inches above the surrounding grade to allow for settling and shall be raked smooth. The applicant shall restore any damaged turf areas and grades due to vehicular or mechanical operations.
4. That the tree to be removed shall be replaced with one (1) small street tree from the McMinnville Street Tree List suitable for location under overhead wires.
5. That the replacement tree 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.
6. That the replacement tree shall be planted per the approved City detail (see enclosure). The applicant shall provide root barrier protection in order to minimize sidewalk and tree root conflicts. The barrier shall be placed on the public sidewalk side of the tree and the curb side of the tree. The root barrier protection shall be placed in 10-foot lengths, centered on the tree, and to a depth of eighteen (18) inches. In addition, the tree shall be provided with two (2) deep watering tubes to promote deep root growth.
7. That the applicant shall contact the McMinnville Public Works Department at (503) 434-7316 to discuss specific staking, watering tube requirements, and to schedule an inspection prior to backfilling.
8. That the applicant is reminded that trees are not to be planted within:
 - a. Five (5) feet of a private driveway or alley;
 - b. Ten (10) feet of a fire hydrant, transformer, power or water vault, water meter box, utility pole, sanitary sewer, storm or water line; or
 - c. Twenty (20) feet of street light standards or street intersections.
9. That the planter areas shall be restored to original grade immediately following the planting of the replacement trees.
10. That the applicant shall complete the tree removal and tree replacement within six (6) months of this approval notification, or May 21, 2019.
11. That the applicant shall repair/replace damaged sidewalk panels per City code. A sidewalk permit is required and can be obtained from the McMinnville Engineering Department at (503) 472-7312.

ATTACHMENTS:

1. Application for Street Tree Removal (on file with the Planning Department)

COMMENTS:

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

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 had been received:

- McMinnville Public Works:

Site Review

1. The tree in question appears to be a fir, with a single trunk. The tree is 28" DBH.
2. The tree is planted in 8' planter strip between the curb and sidewalk, and that space appears to be non-irrigated with no ground cover planted.
3. The tree has lifted the adjacent sidewalk.
4. The tree has disrupted the adjacent curb and asphalt.
5. There are overhead communication conflicts. There are no apparent overhead power conflicts.
6. There does not appear to be any structural or health related issue that would require the tree's removal.

Recommendations

1. Given the tree's size, location, and the extent of sidewalk lifting, we would recommend approval of this request.
 - a. The adjacent sidewalk has been lifted in several locations past the point of simple grinding to address the trip hazard.
 - b. The property owner report several large limb failures. Given the adjacent targets in the right of way, this represents a heighten potential for damage or injury.
 - c. The adjacent curb and asphalt have been disrupted, which creates drainage issues along the street
2. Suggested conditions of approval:
 - a. Applicant to be responsible for all costs related to grinding the remaining stump.
 - b. Applicant required to grind stump to a minimum of 6" below grade.
 - c. Applicant to call for a utility locate prior to stump grinding.
 - d. Applicant to replace the tree with a tree of a variety acceptable to the Planning Department, minimum 2" caliper.
 - e. Applicant to plant tree as per the approved City detail.
 - f. Applicant to contact Public Works at (503)434.7316 for an inspection prior to backfill.
 - g. Applicant should be required to repair/replace adjacent sidewalk as per City code. A sidewalk permit is required and can be obtained from Engineering (503.472.7312).

- McMinnville Water and Light:

MWL has no comments on this application.

Public Comments

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

FINDINGS OF FACT

1. Eric Baughman, adjacent property owner, submitted a street tree removal application requesting the removal of one (1) street tree from the public right-of-way adjacent to the subject property. The removal of a tree within the public right-of-way requires City approval.
2. The subject property is located at 714 NE Cows Street. The subject property is more specifically described as Tax Lot 3900, Section 09DD, T. 4 S., R. 4 W., W.M.
3. The site is currently zoned R-4 (Multi Family Residential), and is designated as Residential on the McMinnville Comprehensive Plan Map, 1980.
4. This matter was referred to the following public agencies for comment: McMinnville Public Works Department and McMinnville Water and Light. No comments in opposition have been provided, and the comments provided by the Public Works Department and McMinnville Water and Light have been incorporated into the conditions of approval.
5. No public notice of the application was provided by the City of McMinnville, as Street Tree Removal applications are reviewed by the process described in Section 17.58.040 (Tree Removal/Replacement) of the McMinnville Zoning Ordinance, which does not require any type of public notification. No public comments were received prior to the Planning Director's decision.
6. A public meeting was held by the Landscape Review Committee on October 17, 2018 to review the application and proposed street tree removal request. No comments in opposition were provided by the public prior to the public meeting.

CONCLUSIONARY FINDINGS:

McMinnville's Comprehensive Plan:

The following Goals and policies from Volume II of the McMinnville Comprehensive Plan of 1981 are applicable to this request:

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

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

Finding: GOAL VI 1 and Policy 132.38.00 are satisfied in that one (1) replacement tree is being required to be replanted in this location. Conditions of approval are included to ensure that the replacement tree is

Attachments:

Attachment 1 – Application for Street Tree Removal

planted to the City's current standards, which will minimize impacts to surrounding infrastructure in the future. The planting of the replacement tree will enhance the streetscape and livability in the surrounding area.

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.

Finding: Goal X 1 and Policy 188.00 are satisfied in that 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's City Code:

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

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; provide tree-lined streets throughout the city; select, situate and maintain trees appropriately to minimize hazard, nuisance, damage, and maintenance costs; to enhance the appearance, beauty and charm of the City; to implement applicable adopted Downtown Improvement Plan provisions; to promote a diverse, healthy, and sustainable community forest; and to educate the public regarding community forest issues.

Finding: The purpose of the Trees chapter of the McMinnville Zoning Ordinance has been met. Approval of the removal request will allow for the removal of one tree that is damaging public improvements in the public right-of-way. The permitted removal of the existing tree and replacement with a healthy tree that meets the City's planting standards will carry out the purpose of the chapter.

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

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

Finding: The applicability of the ordinance is met. The tree being removed is located within the public right-of-way. Therefore, provisions of the Trees chapter of the McMinnville Zoning Ordinance apply and the removal of any tree within the public right-of-way requires City approval.

17.58.040 Tree Removal/Replacement

- A. The removal or major pruning of a tree, if applicable under Section 17.58.020, shall require City approval, unless specifically designated as exempt by this ordinance. Persons wishing to remove or prune such trees shall file an application for a permit with the McMinnville Planning Department. [...]

Attachments:

Attachment 1 – Application for Street Tree Removal

Finding: This criteria has been met. The applicant has filed an application for a Street Tree Removal Permit to be reviewed by the McMinnville Landscape Review Committee.

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

Finding: This criteria has been met by including a condition of approval to ensure the removal of the tree is performed to accepted City standards. This is reflected in Condition of Approval #3 in this decision document.

- C. The applicant shall be responsible for all costs associated with the tree removal or pruning, or as otherwise required by this ordinance, and shall ensure that all work is done in a manner which ensures safety to individuals and public and private property.

Finding: This criteria has been met by including a condition of approval to ensure the applicant shall be responsible for all costs associated with the tree removal. This is reflected in Condition of Approval #1 in this decision document.

- D. Approval of a request to remove a tree may be conditioned upon replacement of the tree with another tree approved by the city, or a requirement to pay to the city an amount sufficient to fund the planting and establishment by the city of a tree, or trees, of similar value. [...]

Finding: This criteria has been met by including a condition of approval to ensure the applicant shall replace the removed tree with a tree approved by the city. This is reflected in Condition of Approval #4 in this decision document.

- E. The applicant is responsible for grinding stumps and surface roots at least six inches below grade. At least a two inch thick layer of topsoil shall be placed over the remaining stump and surface roots. The area shall be crowned at least two inches above the surrounding grade to allow for settling and shall be raked smooth. The applicant shall restore any damaged turf areas and grades due to vehicular or mechanical operations. The area shall be re-seeded.

Finding: This criteria has been met by including a condition of approval to ensure the applicant shall remove the stump and surface roots, and restore the planting strip. This is reflected in Conditions of Approval #3 and #9 in this decision document.

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

Finding: This criteria has been met by including a condition of approval to ensure the applicant shall complete the tree removal and replacement within 6 months of approval. This is reflected in Condition of Approval #10 in this decision document.

- G. Other conditions may be attached to the permit approval by the McMinnville Landscape Review Committee as deemed necessary.
- H. The planting of street trees shall be subject to the design drawings and specifications developed by the City in May 2014. Specific design drawings and specifications have been developed for trees outside the Downtown Tree Zone. Such design specifications may be periodically updated by the City to include specifications such as tree root barriers, watering tubes or structures, tree grates, and removable pavers, and shall graphically describe the proper method for planting trees to minimize the potential for sidewalk / tree root conflict.

Finding: This criteria has been met by including a condition of approval to ensure the applicant shall plant the replacement street tree in accordance approved City standards and specifications. This is reflected in Condition of Approval #6 in this decision document.

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

A. The tree is unsafe, dead, or diseased as determined by a Certified Arborist.

Finding: This criteria has been satisfied. The tree in question does not display any obvious evidence of health issues, significant distress, or structural issues. No arborist's assessment was submitted with the application. The tree, however, has a reported history of large limb failure that has resulted in damage of private property. Future limb failures could pose risks to targets in the public right-of-way and cause damage or injury. Therefore, the tree could be considered unsafe by layman's standards.

B. The tree is in conflict with public improvements.

Finding: This criteria has been met. The applicant has provided evidence of the damage that has been caused by tree roots to the sidewalk adjacent to the property. The tree has a shallow root system, with some larger surface roots that are running beneath the sidewalk immediately adjacent to the tree. This has caused significant lifting and cracking of the sidewalk panels along the property frontage to the point where it is becoming a safety hazard in the public right-of-way. Upon inspection of the site, Public Works staff determined that the street tree roots have lifted the adjacent sidewalk in several locations past the point of simple grinding to address the trip hazard. Additionally, Public Works staff cite that the adjacent curb and asphalt have been disrupted, causing drainage issues along the street. Therefore, the street tree removal request satisfies this criteria, as the tree is in conflict with public improvements adjacent to the subject property.



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. The Landscape Review Committee may periodically update the McMinnville Street Tree List as necessary to reflect current arborist practices and industry standards.

Finding: This criteria has been met by including a condition of approval to ensure the applicant shall select an approved tree from the McMinnville Street Tree List. This is reflected in Condition of Approval #4 in this decision document.

- 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.

Finding: This criteria has been met by including a condition of approval to ensure the replacement street tree shall meet approved City standards and specifications. This is reflected in Condition of Approval #5 in this decision document.

- 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.

Finding: This criteria has been met by including a condition of approval to ensure setbacks to public utilities and improvements in the public right-of-way are maintained. This is reflected in Condition of Approval #8 in this decision document.

JF



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

www.mcminnvilleoregon.gov

EXHIBIT 2 - STAFF REPORT

DATE: November 21, 2018
TO: Landscape Review Committee
FROM: Jamie Fleckenstein, PLA, Associate Planner
SUBJECT: Agenda Item 4B: L 43-18

Report in Brief:

A Street Tree Improvement Plan for the Cottonwood subdivision (L 43-18) to be reviewed by the Landscape Review Committee.

Background:

It has come to Planning Department staff's attention that there is widespread failure of a street tree species in the Cottonwood subdivision in northwest McMinnville. The subject street tree is *Pyrus calleryana* 'Cambridge' (Cambridge Callery Pear), and it is the approved street tree for portions of NW Adisyn Lane, NW Woodland Drive, and NW Cottonwood Drive. Staff is recommending a revision to the Cottonwood Street Tree Plan to specify a suitable substitution so replacement trees are not required to be *Pyrus calleryana* 'Cambridge' (Cambridge Callery Pear) since it is exhibiting long-term problems as a street tree in the public right-of-way. The City has determined that this subdivision could be a candidate for a Street Tree Improvement Plan to allow for an expedited administrative process for property owners to follow when requesting street tree removal and replacement.

Discussion:

The subject public rights-of-way are the portions of NW Cottonwood Drive, NW Woodland Drive, and NW Adisyn within the Cottonwood subdivision as follows:

- South side of NW Cottonwood Drive between Hill Road and NW Woodland Drive
- West and south side NW Woodland Drive between NW Cottonwood Drive and NW Adisyn Lane
- West side of NW Adisyn Lane within the Cottonwood subdivision

The subdivision can be seen on the map below outlined in red, and the subject rights-of-way are identified by the hatched areas:

Attachments:
Attachment A - Draft Cottonwood 1st Addition Street Tree Improvement Plan



A street tree removal application (L 40-18) was received by the planning department on October 15, 2018 for the property at 2016 NW Woodland Drive requesting the removal of one (1) *Pyrus calleryana* 'Cambridge' (Cambridge Callery Pear) tree from the right-of-way adjacent to the property. The applicant stated that over the summer, four (4) large branches had fallen from the street tree into the right-of-way, and the tree produced and dropped large fruit on the sidewalk that posed a hazard to pedestrians. An arborist's report submitted by the applicant identified this street tree as a hazard tree that should be removed. The applicant further stated that this type of catastrophic limb failure and tree litter was occurring frequently with many other flowering pear trees along NW Woodland Drive.

Because of the nature of the application and evidence, this tree was considered for an administratively approved emergency removal permit. To provide further information to the Planning Director for consideration of the emergency tree removal permit, staff conducted a visual inspection of the street tree requested to be removed, as well as the other *Pyrus calleryana* trees along the street. Many of the Callery Pear street trees in the Cottonwood subdivision show evidence of large limb breakage, including recent scars, old scars, and recent broken limbs. All the trees show the branching structure characteristic of the variety that leads to weak connections and limb failure – distinctly upright branching patterns

Attachments:

Attachment A - Draft Cottonwood Street Tree Improvement Plan

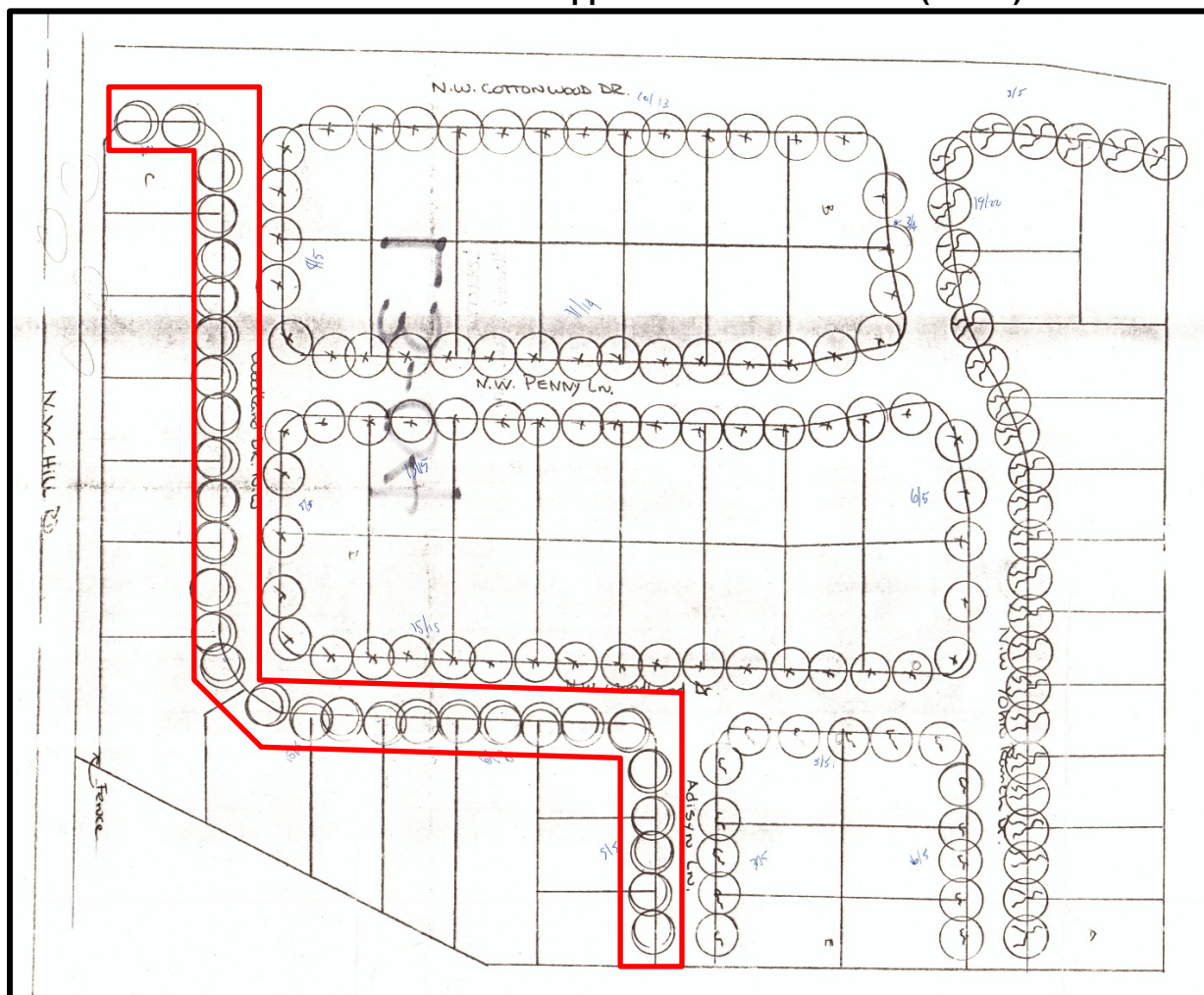
causing with narrowly crotched branches with included bark. The applicant also indicated that several of the Callery Pear street trees have been removed and replaced with other species because of these issues. This leads staff to believe that these Callery Pear trees will continue to exhibit limb failure and breakage as the trees age.

A Public Works inspection of the tree requested to be removed notes “at least six locations where scaffold limbs have broken off”, “excessive fruit growth”, and “tight crotch connections in multiple locations”. Public Works supported the administrative review and approval of removal for this tree.

Based on the condition of the existing tree, evidence of the history of limb failure of the subject tree, the proximity of targets within the public right-of-way and private property, and the long term suitability of the tree, it was staff's recommendation that an emergency tree removal permit be approved. The Planning Director approved the emergency removal of the subject tree.

The applicant indicated she would like to replace the street tree with a different species that does not have the characteristics of the Cambridge Callery Pear. In researching the background of the property and the application, it was found that an approved street tree plan for the Cottonwood Subdivision (L 3-04) specifies *Pyrus calleryana* 'Cambridge' (Cambridge Callery Pear) as the designated street tree for portions of NW Cottonwood Drive, NW Woodland Drive, and NW Adisyn Lane. The approved street tree plan can be seen below, with the subject rights-of-way outlined in red:

Cottonwood Subdivision Approved Street Tree Plan (L 3-04)



Attachments:

Attachment A - Draft Cottonwood Street Tree Improvement Plan

Pyrus calleryana is an approved medium street tree on the McMinnville Street Tree List, however, the variety 'Cambridge' is not listed as an acceptable variety. It should be noted that the Approved Street Tree list was established in 2016, after the Cottonwood Street Tree Plan was approved (2004).

McMinnville Zoning Ordinance Section 17.57.070(C) requires "All landscaping approved through the Landscape Review Committee shall be continually maintained, including necessary watering, weeding, pruning, mowing, and replacement." Without revision to the Cottonwood Approved Street Tree Plan, any *Pyrus calleryana* 'Cambridge' removed on in the Cottonwood subdivision would necessarily need in-kind replacement.

There is sufficient horticultural research to question the suitability of *Pyrus calleryana* (Callery Pear) and the named variety 'Cambridge' for use as a street tree in McMinnville. The McMinnville Street Tree List identifies several characteristics that, in, general, street trees in McMinnville should possess, including:

- Not brittle or weak-wooded;
- Do not drop excessive amounts of litter (fruit, nuts) [...]

There are many horticultural sources that identify *Pyrus calleryana* trees (including the variety 'Cambridge') as brittle and structurally weak, and at times, heavily fruiting. *Pyrus calleryana* is also beginning to be identified as an invasive plant in areas because of the fruit that can be borne by the tree and some varieties.

- Missouri Botanical Garden
 - <http://www.missouribotanicalgarden.org/PlantFinder/PlantFinderDetails.aspx?kempercode=a720>
 - Noteworthy Characteristics [*Pyrus calleryana*]
 - "[*Pyrus calleryana*] By the 1980s, concerns about both overplanting and structural weakness (limb breakage from wind, ice and snow) began to surface. Today, additional concerns about invasiveness (non-sterile forms are escaping cultivation and naturalizing in some areas) are being addressed."
- Morton Arboretum
 - <http://www.mortonarb.org/trees-plants/tree-plant-descriptions/callery-pear-not-recommended>
 - "Callery pear has invasive traits that enable it to spread aggressively. This tree is under observation and may be listed on official invasive species lists in the near future. Review of risks should be undertaken before selecting this tree for planting sites. The various cultivars of this species are more commonly available than the species itself. Callery pear has a weak wood and branch structure and is susceptible to ice storm damage."
 - Disease, pests, and problems
 - [...] the tree's narrow branch angles make trees prone to breakage and limit its ornamental usefulness. It can self-sow fairly readily and has become aggressive in some areas due to this.
- University of Connecticut, College of Agriculture, Health & Natural Resources Plant Database
 - <http://hort.uconn.edu/detail.php?pid=373>
 - Liabilities [*Pyrus calleryana*]
 - tree tends to split with age, because of tight crotch angles
 - limb breakage from wind, snow, and ice
 - "Regardless of cultivar, *Pyrus calleryana* is wholly overused in the landscape, leading to monotony and boredom. The rigid habit of the plant also makes the

species appear out-of-place in most situations. Other plant choices should generally be investigated when *P. calleryana* is called for.”

- Ohio State University, OSU Pocket Gardener
 - https://hvp.osu.edu/pocketgardener/source/description/py_ryana.html
 - Culture [*Pyrus calleryana*]
 - “the major liability that this species has is its poor branching habit, which renders the tree a sitting duck for major branch shearing at times of high winds or heavy ice load”
 - “this liability is caused by the numerous weak crotch angles, due to the vertical co-dominant central leaders that repeat up and down the canopy, with narrow angles of separation between the vertical branches, having little strength at their points of attachment to each other”
- University of Illinois Extension, “Callery Pears Can Cause Problems”, Sandra Mason, State Master Gardener Coordinator
 - <https://web.extension.illinois.edu/cfiv/homeowners/050223.html>
 - “[Bradford Pear] develops weakly attached branches with narrow crotch angles. Plus there are usually 6-8 branches coming from the same point on the trunk. They look like upside down umbrellas. Often large limbs are lost in wind and ice storms, but can also fail on a calm day. Typically limbs rip down the trunk and give the tree a very unsymmetrical look.”
 - “‘Bradford’ pear is a cultivar of Callery pear. A number of new Callery pear cultivars were introduced with different branching patterns, in the hope that they would have less chance of breaking apart. Bill Vander Weit, City Forester for the City of Champaign states, ‘We have planted several of the improved cultivars of Callery pear and have found them to have the same tendency to branch failure that we find in ‘Bradford’ pear.’”
 - “Because of these problems, the City of Champaign will no longer permit the planting of Callery pears on the City right-of-way.”
- University of California, California Tree Failure Report Program
 - https://ucanr.edu/sites/treefail/Failure_Photos/Pyrus_calleryana/
 - As of July 5, 2010, there were 68 reports of Callery pear failures in the database. 34 of those were branch failures. 26 failed at the point of attachment. Decay was noted in 7 of the branch failures. The most commonly associated structural defects were included bark, codominance and multiple branches originating at the same point.
 - As of December 30, 2013 there are 85 reports of Callery pear failures in the database. 45 branch, 27 trunk, and 13 root. Failure patterns remain the same. Most commonly noted structural defects over all 85 cases are codominance (40), included bark (37), multiple branches originating at the same point (32) and decay (26).

The Cambridge Callery Pear is an upright, narrow tree that is prone to limb failure as the tree ages due to poor branching structure and produces and drops excessive amounts of fruit. Since the Approved Street Tree List states that McMinnville’s street trees should not be brittle or weak wooded or drop excessive amounts of fruit, Staff is recommending changing the approved street tree for the affected portions of the NW Cottonwood Drive, NW Woodland Drive, and NW Adisyn Lane right-of-ways to *Cercis canadensis* (Eastern Redbud). A single replacement option is preferred to maintain the mono-culture and uniform appearance of the street trees, as intended by the original approved Street Tree Plan.

Eastern Redbud is an approved medium tree on the McMinnville Street Tree List. The planting strip is approximately five (5) feet wide, and can accommodate the Eastern Redbud. Eastern Redbuds can grow to approximately 30 feet in height and width. This is a more desirable mature width in a street tree than

the Callery Pear offers because it offers a continuous canopy at a wider tree spacing. Eastern Redbuds have a showy display of flowers early in early spring on bare branches, and good fall color, similar to the seasonal characteristics of the Callery Pear. Redbuds do not, however, display any of the known structural issues of the Callery Pear.

It is anticipated that the number of Street Tree Removal permit applications requesting removal of *Pyrus calleryana* 'Cambridge' trees along the public rights-of way of the Cottonwood subdivision will increase in the near future due to the existing trees' tendency to exhibit major limb failure and drop excessive amounts of fruit. Adopting a Street Tree Improvement Plan for these streets will allow the homeowners to replace the problematic *Pyrus calleryana* 'Cambridge' with *Cercis canadensis*, a more suitable street tree, and re-establish the tree lined street and continuous canopy that are goals of the McMinnville Street Tree program.

The City has implemented Street Tree Improvement Plans in other subdivisions that have experienced similar problems with existing street trees. Most recently, a similar Street Tree Improvement Plan for the Cottonwood 1st Addition was approved by the Landscape Review Committee to provide a replacement street tree for another *Pyrus calleryana* variety that was showing the same problems as in Cottonwood. Another example is the Westvale 4th Addition subdivision Street Tree Improvement Plan. The Westvale 4th Addition is located in the southwest quadrant of the City, east of Hill Road, and includes a portion of SW Fellows Street.

A street tree improvement plan basically acknowledges that street trees within a particular area in the City exhibit characteristics that will likely lead to requests to remove the trees, based on the standard criteria used to determine whether a street tree may be removed. Section 17.58.040 (A) of the McMinnville Zoning Ordinance provides for some flexibility in the Landscape Review Committee approving tree removals, and in the case of a street tree improvement plan, the Landscape Review Committee allows for the Planning Director to administratively approve removal requests in a particular area as defined by the Landscape Review Committee.

The main issues that have been encountered in this subdivision are trees failing and dropping large limbs and excessive fruit, both of which pose hazards to the public right-of-way. Section 17.58.050 of the McMinnville Zoning Ordinance states that street tree removals may be granted if any of the following criteria apply:

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

The street trees in this subdivision meet the criteria above, specifically Section 17.58.050 (A). To address this ongoing issue, Staff have drafted a Street Tree Improvement Plan for the Cottonwood subdivision. Based on the rationale above, staff believes that the Street Tree Improvement Plan is justified, and would allow for an expedited administrative process for property owners to remove and replace street trees. The property owner would still be required to submit an application for review by the Planning Director,

Attachments:

Attachment A - Draft Cottonwood Street Tree Improvement Plan

and the owner would still need to demonstrate a specific street tree problem such as tree health or impacts to surrounding infrastructure. All of the typical tree replacement regulations would still be required, such as tree replacement, installation of root barriers, watering tubes, and stakes, and the replacement trees would be required to be inspected by the Public Works Superintendent prior to completing installation. This would ensure that as street trees are removed and replaced in this subdivision, they are planted correctly and replaced with a species that does not present the same long-term health issues.

Fiscal Impact:

None.

Recommendation/Suggested Motion:

Based on the rationale described above, staff is recommending that the Cottonwood Street Tree Improvement Plan be approved with the following conditions:

1. That any property owner requesting to remove a street tree within the following rights-of-way in the Cottonwood subdivision submit a tree removal application for review by the Planning Department, and the Planning Director shall have the ability to administratively approve the removal and replacement of street trees within the Cottonwood Street Tree Improvement Plan area.
 - South side of NW Cottonwood Drive between Hill Road and NW Woodland Drive
 - West and south side NW Woodland Drive between NW Cottonwood Drive and NW Adisyn Lane
 - West side of NW Adisyn Lane within the Cottonwood subdivision
2. That any future applicant contact the appropriate utility-locate service (dial 811 or 800-332-2344) prior to digging to ensure that underground utilities are not damaged during this process.
3. That any tree's stumps and remaining surface roots shall be removed at least six (6) inches below grade.
4. That any future applicant shall make any necessary sidewalk repairs and obtain necessary permits from the City prior to initiating such work. It is recommended that the sidewalk repairs be completed prior to replanting the tree. Please call the Engineering Department at (503) 434-7312 for sidewalk standards and specifications prior to construction.
5. That any future applicant shall plant one (1) replacement tree for each tree approved to be removed. The tree shall be a minimum of two (2) inches in caliper measured at six (6) inches above grade, and of a species from the approved Cottonwood Street Tree Improvement Plan tree list.
6. That any replacement trees shall be provided with root barrier protection in order to minimize sidewalk and tree root conflicts. The barrier shall be placed on the public sidewalk side of the tree and the curb side of the tree. The root barrier protection shall be placed in 10-foot lengths, centered on the tree, and to a depth of eighteen (18) inches. In addition, the tree shall be provided with deep watering tubes to promote deep root growth (see enclosed detail).
7. That any future applicant is reminded that trees are not to be planted within:
 - a. Five (5) feet of a private driveway or alley;
 - b. Ten (10) feet of a fire hydrant, transformer, power or water vault, water meter box, utility pole, sanitary sewer, storm or water line; or

Attachments:

Attachment A - Draft Cottonwood Street Tree Improvement Plan

- c. Twenty (20) feet of street light standards or street intersections.
- 8. That any future applicant shall contact the McMinnville Public Works Superintendent at (503) 434-7316 to discuss specific staking, watering tube requirements, and to schedule a planting inspection prior to backfilling.
- 9. That all planter areas shall be restored to original grade immediately following the planting of any replacement tree.
- 10. That all costs and liability associated with a tree's removal and replacement shall be borne by any future applicant.
- 11. That any future applicant shall complete the removal and replacement within six (6) months of receiving approval.

Suggested Motion:

THAT BASED ON THE FINDINGS OF FACT, THE CONCLUSIONARY FINDINGS FOR APPROVAL, AND THE MATERIALS SUBMITTED BY THE APPLICANT, THE LANDSCAPE REVIEW COMMITTEE APPROVE L 43-18 WITH THE CONDITIONS OF APPROVAL AS RECOMMENDED BY STAFF.

JF



Street Tree Improvement Plan Cottonwood

The City intends to implement a street tree improvement plan for this area in order to create an expedited administrative process for property owners seeking to remove and replace street trees. As per ordinance, all costs for street tree maintenance, removals and replacements, as well as sidewalk repairs, will be the responsibility of the adjacent property owner. Permit applications in replacement tree plan areas will be processed administratively by the Planning Department. Sidewalk removal/replacement permit requirements shall remain in effect for all street tree replacement plans.

All street tree replacement plans shall:

1. Be specific to a defined area, and related to specific, observed street tree problems (health, structural problems, conflicts with public improvements, etc.) within the given area.
2. Provide a rationale for removing existing trees and implementing a replacement program.
3. Include a list of approved street tree choices appropriate to the planting situation.
4. Provide a specific construction detail that clearly describes required planting practices.
5. Allow for administrative approval by the Planning Director of removal/replacement applications. A permit for tree removal shall be granted if:
 - a. The tree is unsafe, dead or diseased, as determined by the Planning Director or designee, or a certified arborist.
 - b. The tree is in conflict with public improvements.
 - c. The proposed removal is part of an approved development project, a public improvement project where no alternative is available, or is part of a street tree improvement program.
 - d. The tree poses likely future conflicts with public improvements, as determined by the Planning Director or designee.
 - e. The tree poses an imminent danger to the public or any private property owner or occupant.
6. Require all plantings be inspected and approved by City staff.
7. All Street Tree Improvement Plans shall be reviewed by the Planning Director and approved by the Landscape Review Committee.

Cottonwood Street Tree Improvement Plan

A. Defined area (see attached map): Includes the following public rights-of-way within the Cottonwood subdivision:

- South side of NW Cottonwood Drive between Hill Road and NW Woodland Drive
- West and south side NW Woodland Drive between NW Cottonwood Drive and NW Adisyn Lane
- West side of NW Adisyn Lane within the Cottonwood subdivision

B. Rationale:

- a. An approved Street Tree Plan for Cottonwood subdivision (L 3-04) indicates the approved street tree for affected portions of the NW Cottonwood Drive, NW Woodland Drive, and NW Adisyn Lane right-of-ways is *Pyrus calleryana* 'Cambridge' (Cambridge Callery Pear).
- b. The planting strip within this subdivision is about 5' in width. There are various utilities boxes, hydrants and street lighting poles located in the park strip as well. There is underground electrical in several locations as well. There are no overhead conflicts.
- c. In multiple locations within the subdivision the existing street trees are showing extensive branch and limb failure due to narrow branch angles, and excessive fruiting and litter. These are known characteristic issues with the *Pyrus calleryana* 'Cambridge' (Cambridge Callery Pear).

C. Approved Street Tree List for area (from City's approved list):

a. Site characteristics lend themselves to medium sized trees

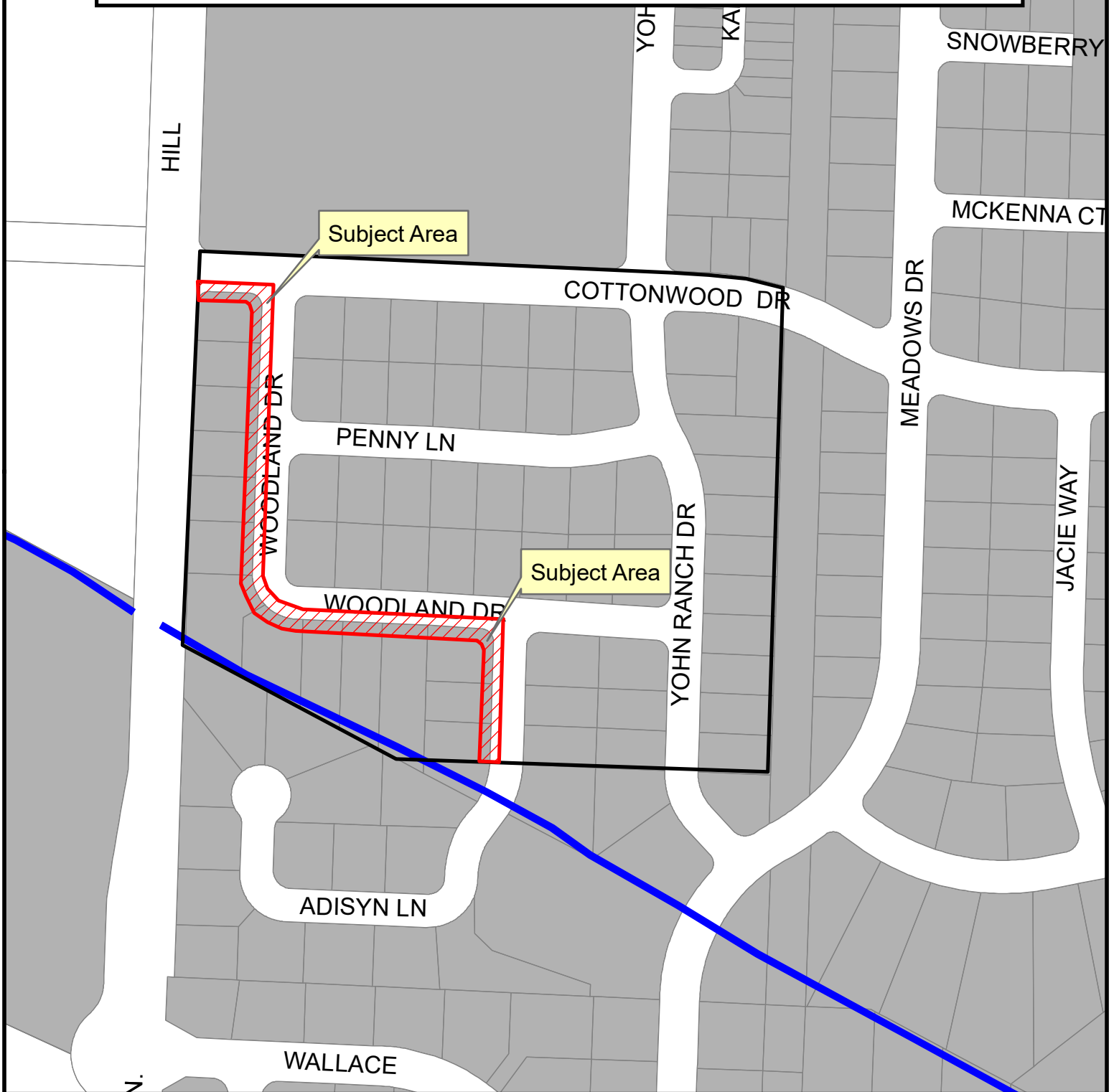
- i. Mature height of 25 to 40 feet
- ii. Minimum planting strip width: five (5) feet
- iii. Trees spaced to provide continuous canopy at maturity

b. Approved Street Tree:

- *Cercis canadensis* (Eastern Redbud)

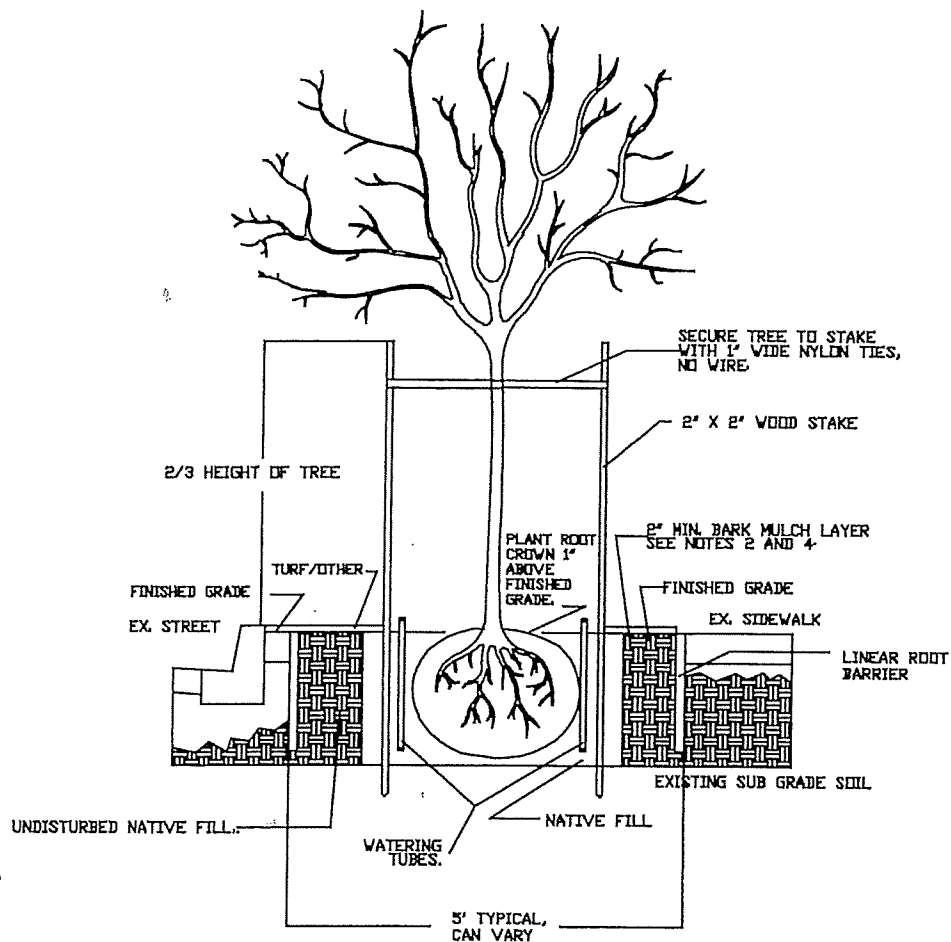
D. Construction Detail (see attached): all new plantings shall require linear root barrier protection, deep watering tubes, mulch and staking as per the attached detail.

Areas Included in the Cottonwood Subdivision Street Tree Improvement

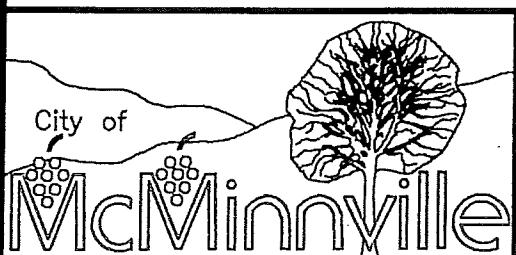


TREE PLANTING IN PARKWAY DETAIL

SECTION



1. PLANTING PIT 2X ROOTBALL WIDTH.
2. DIG PLANTING PIT NO DEEPER THAT ROOTBALL.
3. BACKFILL WITH NATIVE MATERIAL.
4. LINEAR ROOT BARRIER: COMMERCIALY ENGINEERED, 24\"/>



MCMINNVILLE PUBLIC WORKS DIVISION
PARKWAY TREE PLANTING DETAIL-

NOT TO SCALE

DATE:

MAY 2014

DRAWING NO.

34B



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

www.mcminnvilleoregon.gov

EXHIBIT 3 - STAFF REPORT

DATE: November 21, 2018
TO: McMinnville Landscape Review Committee
FROM: Jamie Fleckenstein, PLA, Associate Planner
SUBJECT: Agenda Item 4C: L 44-18

Report in Brief:

An application for a street tree removal (L 44-18) to be reviewed by the Landscape Review Committee.

Background:

The applicant and adjacent property owner, Michael Williams, submitted a street tree removal application to remove one (1) street tree from the property located at 1895 NW 8th Street. The subject property is more specifically described as Tax Lot 7900, Section 19AD, T. 4 S., R. 4 W., W.M.

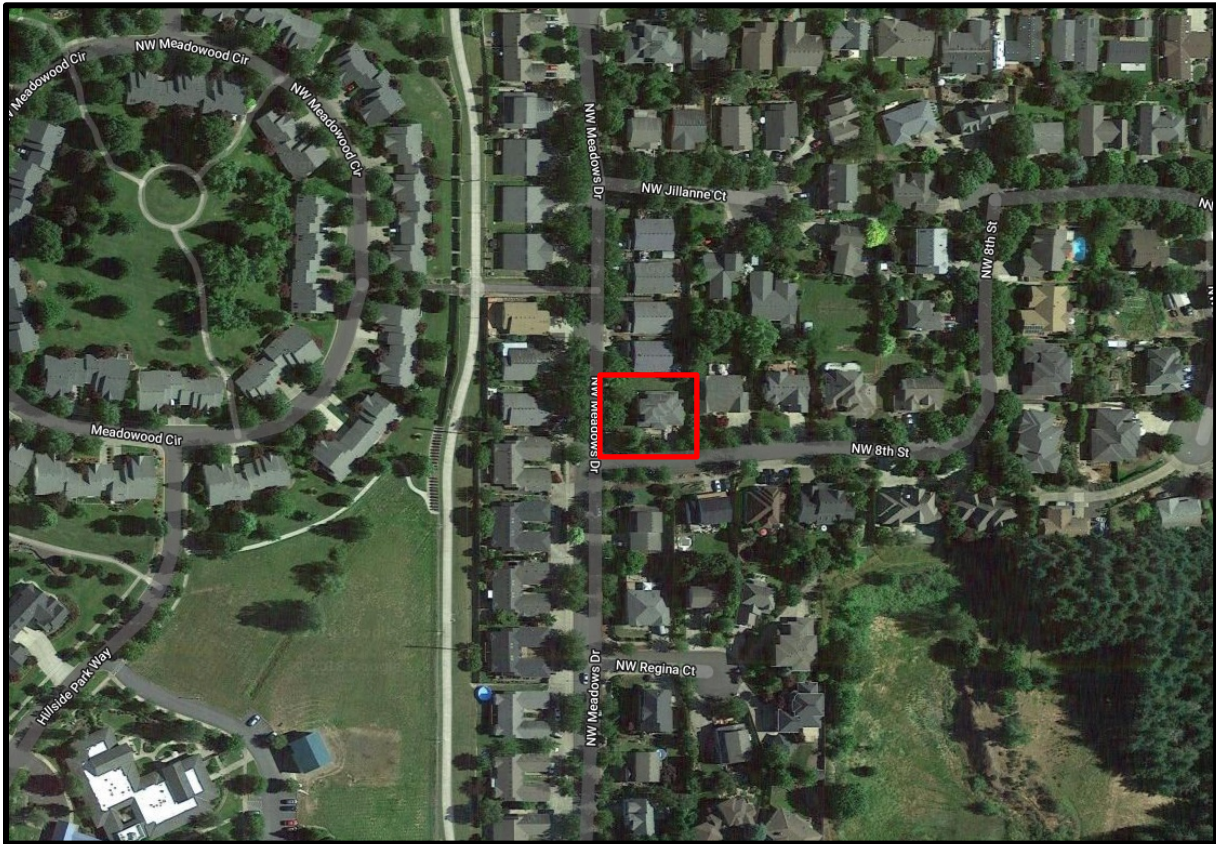
Discussion:

The subject property is a single family property in northwest McMinnville, at the intersection of NW 8th Street and NW Meadows Street, in the Barclay Heights 1st Addition subdivision. The property is zoned R-2PD (Single Family Residential, Planned Development). There is no approved street tree plan for this subdivision. The tree in question is an *Acer rubrum* (Red Maple) variety that measures approximately 14 inches DBH (diameter at breast height), and appears to be in good health with no apparent structural issues. The tree is located on the NW 8th Street right-of-way on the south side of the property, in a planter strip that is approximately five (5) feet in width. There are no overhead communication or power lines in this location. There are two (2) additional street trees planted in the same planter strip adjacent to the applicant's property, to the west of the subject tree.

The subject site can be seen below, outlined in red:

Attachments:

Attachment A – Decision, Conditions of Approval, and Findings of Fact of the McMinnville Landscape Review Committee for Approval of a Street Tree Removal at 714 NE Cows Street

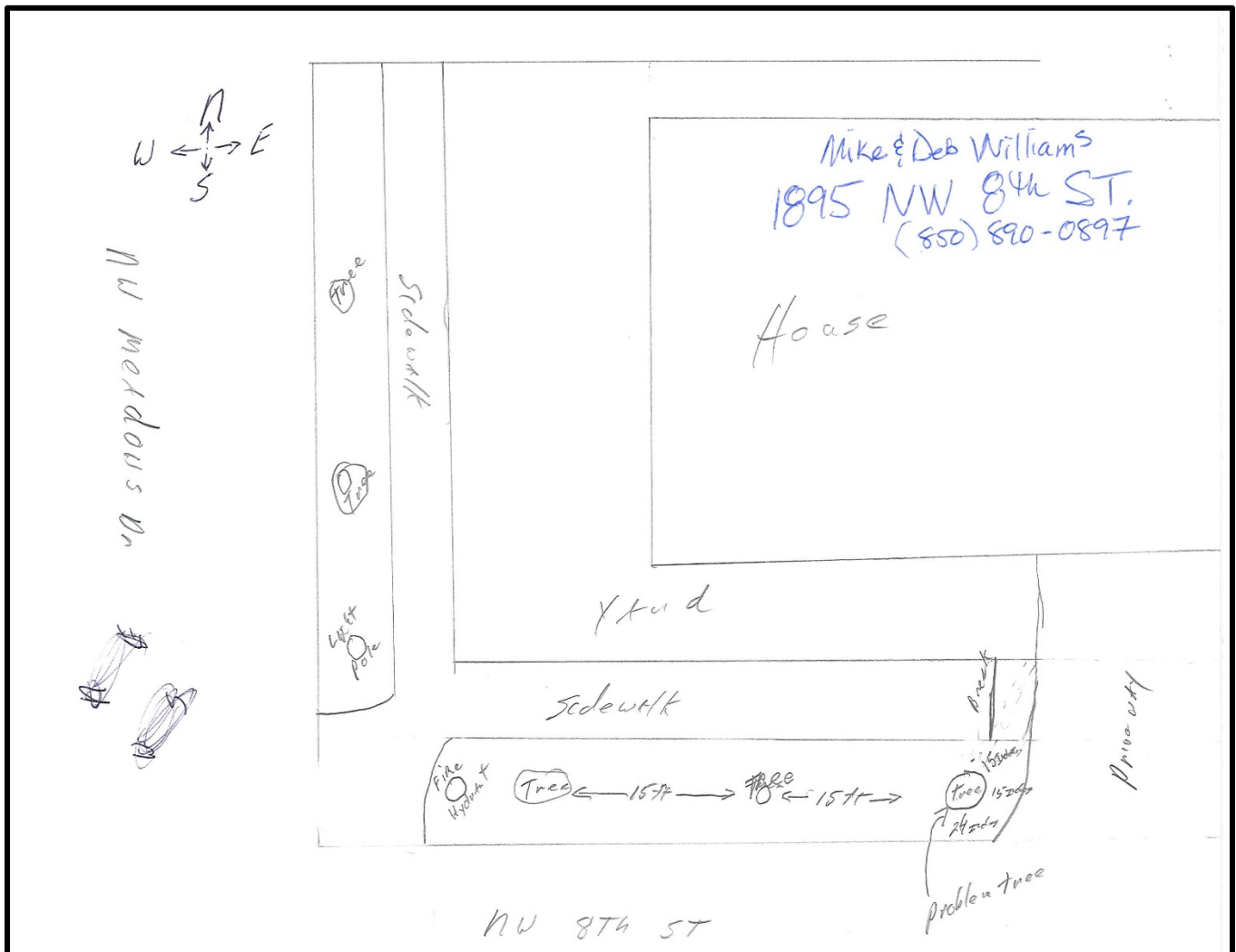


The street trees along NW 8th Street can be seen below, with the subject tree outlined in red:



Attachments:
Attachment A – Decision, Conditions of Approval, and Findings of Fact of the McMinnville Landscape Review Committee for Approval of a Street Tree Removal at 1895 NW 8th Street

The site plan provided by the applicant can be seen below:

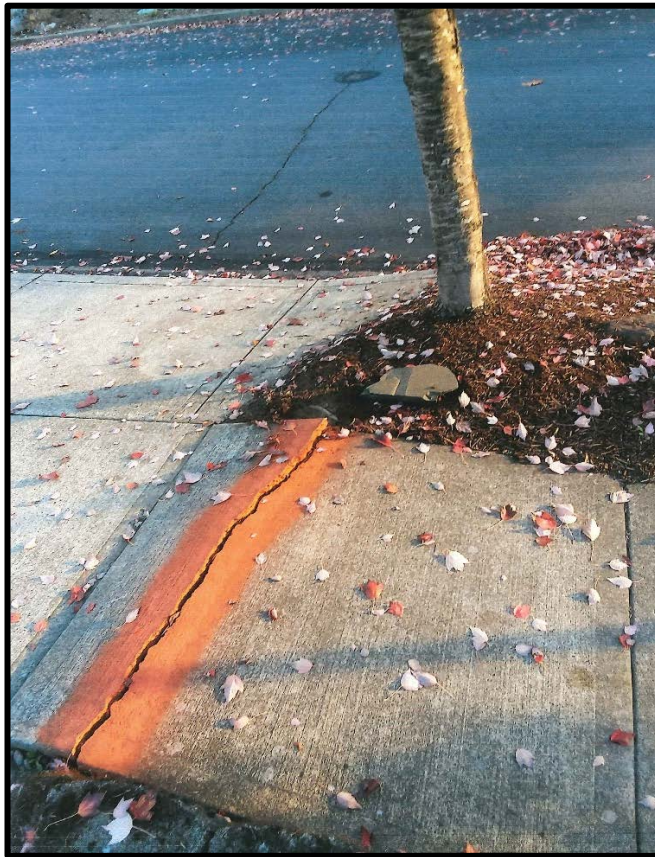


The applicant requested the removal of the street tree because it has caused significant damage to the adjacent sidewalk and to the applicant's driveway. The applicant states that the Red Maple in question has caused the sidewalk to buckle and crack, creating a two (2) inch high break in the concrete. The application claims that the damage to the sidewalk in this area is very unsafe for pedestrians. The application also indicates that the tree is planted very close to the driveway (15 inches), and its roots are growing under the driveway and lifting the concrete. The applicant did not propose to replace the one (1) street tree requested for removal.

The following photos show the tree and condition of the adjacent sidewalk:

Attachments:

Attachment A – Decision, Conditions of Approval, and Findings of Fact of the McMinnville Landscape Review Committee for Approval of a Street Tree Removal at 1895 NW 8th Street



Attachments:

Attachment A – Decision, Conditions of Approval, and Findings of Fact of the McMinnville Landscape Review Committee for Approval of a Street Tree Removal at 1895 NW 8th Street



Attachments:

Attachment A – Decision, Conditions of Approval, and Findings of Fact of the McMinnville Landscape Review Committee for Approval of a Street Tree Removal at 1895 NW 8th Street

Review Criteria:

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

- A. The tree is unsafe, dead, or diseased as determined by a Certified Arborist.

The tree in question does not display any obvious evidence of health issues, significant distress, or structural issues. No arborist's assessment was submitted with the application.

- B. The tree is in conflict with public improvements.

The applicant has provided evidence of the damage that has been caused by tree roots to the sidewalk adjacent to the property. The tree has a shallow root system, with some larger surface roots that are running beneath the sidewalk and driveway immediately adjacent to the tree. This has caused significant lifting and cracking of the sidewalk panel adjacent to the driveway approach to the point where it is becoming a safety hazard in the public right-of-way. Upon inspection of the site, Public Works staff confirmed that the street tree roots have damaged the adjoining sidewalk adjacent to the driveway approach. The crack in the sidewalk and the amount the panel has lifted is irreparable by grinding the sidewalk. The shallow root system will continue to exacerbate the problem in this location as the roots grow and expand. Therefore, the street tree removal request satisfies this criteria, as the tree is in conflict with public improvements adjacent to the subject property.

- 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.

This criteria is not applicable, as the tree is not part of an approved development or public improvement project.

Tree Replacement:

Section 17.58.040(D) (Tree Removal/Replacement) of the McMinnville Zoning Ordinance states that "Approval of a request to remove a tree may be conditioned upon replacement of the tree with another tree approved by the city, or a requirement to pay to the city an amount sufficient to fund the planting and establishment by the city of a tree, or trees, of similar value."

The applicant did not propose to replace the one (1) street tree requested for removal. There is no approved street tree plan in place for the Barclay Heights 1st Addition subdivision that would require replacement of the street tree. Per Section 17.58.090(E) Street Tree Standards, street trees shall not be planted closer than five (5) feet to a private driveway. Since the tree requested for removal is planted within this required setback, replacing the tree in the same location is not feasible. There are two (2) additional street trees in the planter strip with the subject tree, spaced at 15 feet on center. Given the location and spacing of the street trees to the west, adding a replacement tree outside the driveway setback would place it approximately 10 feet from the adjacent tree. A 10 foot spacing is too close to allow ample space for proper canopy and tree development. The roots of the trees would be competing for limited resources in the planting strip, likely limiting the health of both trees. It is recommended that a replacement street tree not be required.

Fiscal Impact:

None.

Attachments:

Attachment A – Decision, Conditions of Approval, and Findings of Fact of the McMinnville Landscape Review Committee for Approval of a Street Tree Removal at 1895 NW 8th Street

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.

Recommendation/Suggested Motion:

If the Landscape Review Committee finds that the proposed removal will result in the mitigation of current and future risk due to an unsafe, dead, or diseased tree, or that the tree is in conflict with public improvements, staff is recommending that the street tree removal be approved with the following conditions:

1. That all costs and liability associated with the tree removal and stump grinding shall be borne by the applicant.
2. That the applicant contact the appropriate utility-locate service (dial 811 or 800-332-2344) prior to stump grinding to ensure that underground utilities are not damaged during this process.
3. That the tree's stump and remaining surface roots shall be removed at least six (6) inches below grade. At least a two inch thick layer of topsoil shall be placed over the remaining stump and surface roots. The area shall be crowned at least two inches above the surrounding grade to allow for settling and shall be raked smooth. The applicant shall restore any damaged turf areas and grades due to vehicular or mechanical operations.
4. That the applicant shall complete the tree removal within six (6) months of this approval notification, or May 21, 2019.
5. That the applicant shall repair/replace adjacent damaged sidewalk panels per City code. A sidewalk permit is required and can be obtained from the McMinnville Engineering Department at (503) 472-7312.

Suggested Motion:

THAT BASED ON THE FINDINGS OF FACT, THE CONCLUSIONARY FINDINGS FOR APPROVAL, AND THE MATERIALS SUBMITTED BY THE APPLICANT, THE LANDSCAPE REVIEW COMMITTEE APPROVE L 44-18 WITH THE CONDITIONS OF APPROVAL AS RECOMMENDED BY STAFF.

JF

Attachments:

Attachment A – Decision, Conditions of Approval, and Findings of Fact of the McMinnville Landscape Review Committee for Approval of a Street Tree Removal at 1895 NW 8th Street



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

503-434-7311

www.mcminnvilleoregon.gov

**DECISION, CONDITIONS OF APPROVAL, AND FINDINGS OF FACT OF THE MCMINNVILLE
LANDSCAPE REVIEW COMMITTEE FOR THE APPROVAL OF A STREET TREE REMOVAL AT
1895 NW 8th STREET**

DOCKET: L 44-18 (Street Tree Removal)

REQUEST: The applicant requested the removal one (1) street tree adjacent to the subject property.

LOCATION: The subject property is located at 1895 NW 8th Street. The subject property is more specifically described as Tax Lot 7900, Section 19AD, T. 4 S., R. 4 W., W.M.

ZONING: The subject site is zoned R-2PD (Single Family Residential, Planned Development).

APPLICANT: Michael Williams, property owner

STAFF: Jamie Fleckenstein, PLA, Associate Planner

DATE DEEMED COMPLETE: November 7, 2018

HEARINGS BODY: McMinnville Landscape Review Committee

DATE & TIME: November 21, 2018

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

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

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

COMMENTS: This matter was referred to the following public agencies for comment: McMinnville Public Works Department and McMinnville Water and Light. Comments were received by the Planning Department and have been incorporated into the conditions of approval. No public notice of the application was required by the McMinnville Zoning Ordinance. No additional comments were received by the Planning Department.

DECISION

Based on the findings and conclusions, the Landscape Review Committee recommends **APPROVAL** of the street tree removal (L 44-18) **subject to the conditions of approval provided in this document.**

////////////////////////////////////
DECISION: APPROVAL WITH CONDITIONS
////////////////////////////////////

Planning Staff: 
Jamie Fleckenstein, Associate Planner

Date: November 21, 2018

Planning Department: 
Heather Richards, Planning Director

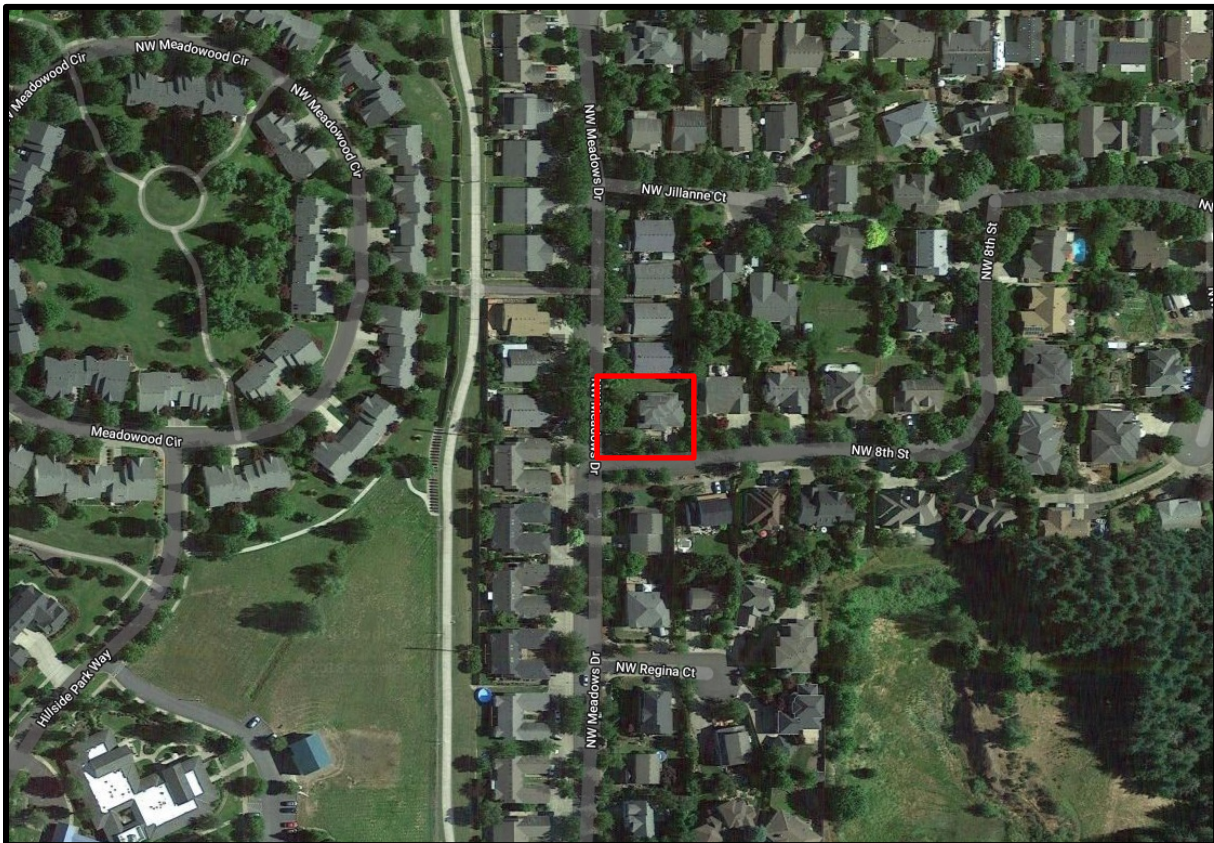
Date: November 21, 2018

APPLICATION SUMMARY:

The applicant requested the removal of one (1) street tree adjacent to the subject property. The removal of a tree within the public right-of-way requires City approval.

The subject property is a single family property in northwest McMinnville, at the intersection of NW 8th Street and NW Meadows Street, in the Barclay Heights 1st Addition subdivision. The property is zoned R-2PD (Single Family Residential, Planned Development). There is no approved street tree plan for this subdivision. The tree in question is an *Acer rubrum* (Red Maple) variety that measures approximately 14 inches DBH (diameter at breast height), and appears to be in good health with no apparent structural issues. The tree is located on the NW 8th Street right-of-way on the south side of the property, in a planter strip that is approximately five (5) feet in width. There are no overhead communication or power lines in this location. There are two (2) additional street trees planted in the same planter strip adjacent to the applicant's property, to the west of the subject tree.

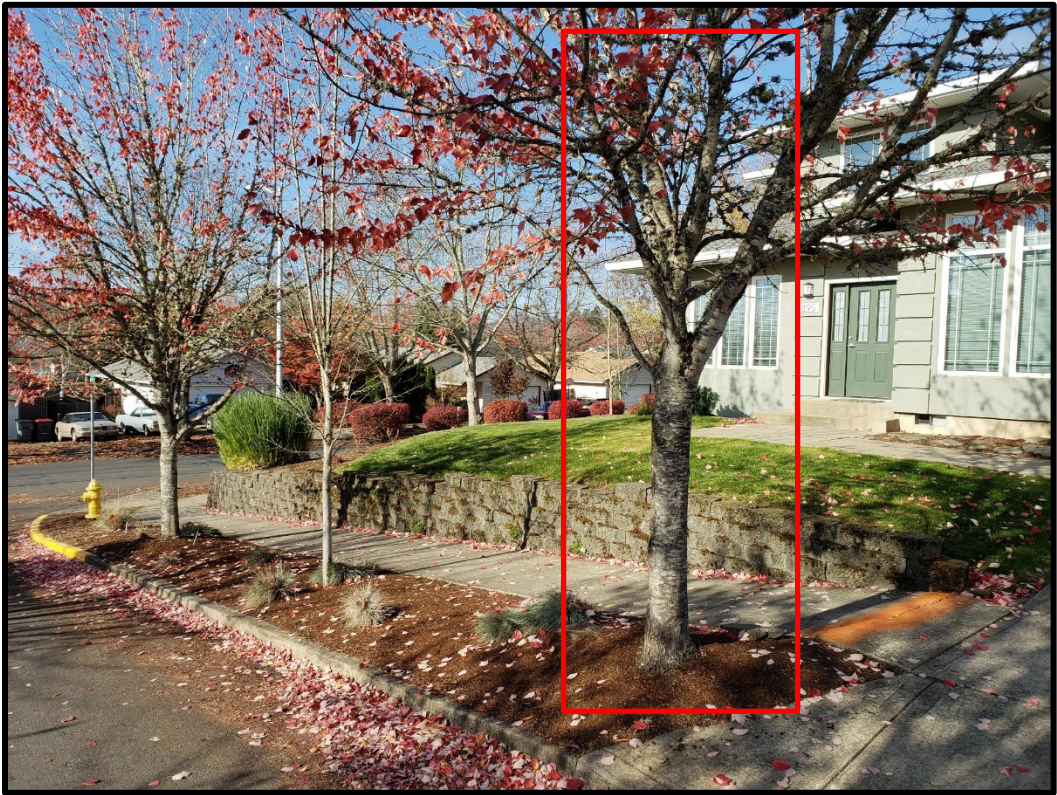
The subject site can be seen below, outlined in red:



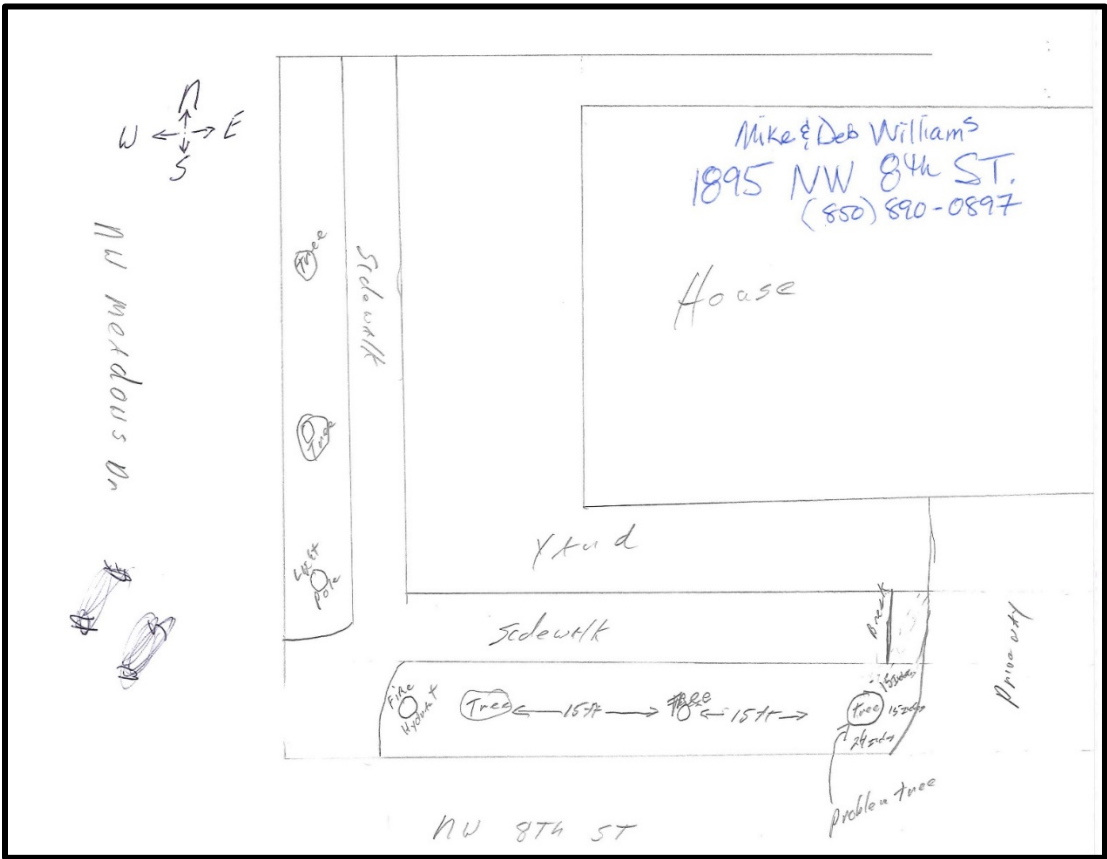
The street trees along NW 8th Street can be seen below, with the subject tree outlined in red:

Attachments:

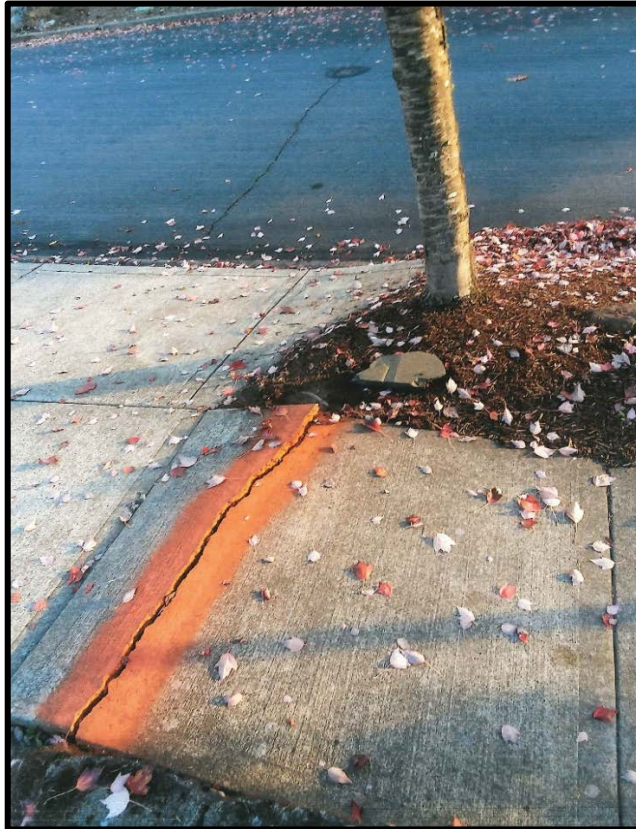
Attachment 1 – Application for Street Tree Removal



The site plan provided by the applicant can be seen below:



The applicant requested the removal of the street tree because it has caused significant damage to the adjacent sidewalk and to the applicant's driveway. The applicant states that the Red Maple in question has caused the sidewalk to buckle and crack, creating a two (2) inch high break in the concrete. The application claims that the damage to the sidewalk in this area is very unsafe for pedestrians. The application also indicates that the tree is planted very close to the driveway (15 inches), and its roots are growing under the driveway and lifting the concrete. The applicant did not propose to replace the one (1) street tree requested for removal. The following photos show the tree and condition of the adjacent sidewalk:



Attachments:

Attachment 1 – Application for Street Tree Removal



CONDITIONS OF APPROVAL:

L 44-18 is **approved** subject to the following conditions:

1. That all costs and liability associated with the tree removal and stump grinding shall be borne by the applicant.
2. That the applicant contact the appropriate utility-locate service (dial 811 or 800-332-2344) prior to stump grinding to ensure that underground utilities are not damaged during this process.
3. That the tree's stump and remaining surface roots shall be removed at least six (6) inches below grade. At least a two inch thick layer of topsoil shall be placed over the remaining stump and surface roots. The area shall be crowned at least two inches above the surrounding grade to allow for settling and shall be raked smooth. The applicant shall restore any damaged turf areas and grades due to vehicular or mechanical operations.
4. That the applicant shall complete the tree removal within six (6) months of this approval notification, or May 21, 2019.
5. That the applicant shall repair/replace adjacent damaged sidewalk panels per City code. A sidewalk permit is required and can be obtained from the McMinnville Engineering Department at (503) 472-7312.

ATTACHMENTS:

1. Application for Street Tree Removal (on file with the Planning Department)

COMMENTS:

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

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:

Site Review

1. The tree in question is approximately 14" DBH.
2. The tree appears to be a maple cultivar.
3. The trees are planted in 5 foot planter strip between the curb and sidewalk, with bark as ground cover.
4. The trees are show evidence of shallow rooting, and have damaged the adjoining sidewalk. There is a large root that has disrupted the sidewalk adjacent to the approach (see photo attached).
5. There are no overhead facility conflicts.
6. There is no damage to the adjoining curb and gutter system.
7. The tree does not display an obvious health or structural issue that would require removal.

Attachments:

Attachment 1 – Application for Street Tree Removal

8. The tree is planted approximately 1' from the driveway approach.

Recommendations

1. Given the damage to adjacent sidewalks and potential for damage to the driveway, and the pwe would recommend approval of this request.
2. Given the location of the existing tree, and the number and spacing of the trees to the west, we would recommend not requiring a replacement tree in this park strip.
3. Suggested conditions of approval:
 - a. Applicant to be responsible for all costs related to removal and replacement.
 - b. Applicant required to grind stump to a minimum of 6" below grade.
 - c. Applicant to call for a utility locate prior to stump grinding.
 - d. Applicant should be required to repair/replace adjacent sidewalk as per City code. A sidewalk permit is required and can be obtained from Engineering (503.472.7312).

- **McMinnville Water and Light**

Water main near tree. Use caution.

Call for locates of underground utilities at 811 prior to removing old tree trunks and roots, and planting new trees.

Public Comments

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

FINDINGS OF FACT

1. Michael Williams, adjacent property owner, submitted a street tree removal application requesting the removal of one (1) street tree from the public right-of-way adjacent to the subject property. The removal of a tree within the public right-of-way requires City approval.
2. The subject property is located at 1895 NW 8th Street. The subject property is more specifically described as Tax Lot 7900, Section 19AD, T. 4 S., R. 4 W., W.M.
3. The site is currently zoned R-2PD (Single Family Residential, Planned Development), and is designated as Residential on the McMinnville Comprehensive Plan Map, 1980.
4. This matter was referred to the following public agencies for comment: McMinnville Public Works Department and McMinnville Water and Light. No comments in opposition have been provided, and the comments provided by the Public Works Department and McMinnville Water and Light have been incorporated into the conditions of approval.
5. No public notice of the application was provided by the City of McMinnville, as Street Tree Removal applications are reviewed by the process described in Section 17.58.040 (Tree Removal/Replacement) of the McMinnville Zoning Ordinance, which does not require any type of public notification. No public comments were received prior to the Planning Director's decision.
6. A public meeting was held by the Landscape Review Committee on November 21, 2018 to review the application and proposed street tree removal request. No comments in opposition were provided by the public prior to the public meeting.

Attachments:

Attachment 1 – Application for Street Tree Removal

CONCLUSIONARY FINDINGS:

McMinnville's Comprehensive Plan:

The following Goals and policies from Volume II of the McMinnville Comprehensive Plan of 1981 are applicable to this request:

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

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

Finding: GOAL VI 1 and Policy 132.38.00 are satisfied in that a replacement tree is not appropriate for this location given the proximity to adjacent private driveway and other street trees. Replacing the street tree in this planter strip within applicable setback and spacing standards would interrupt the spacing of the adjacent street trees in the same planter strip, detracting from the aesthetics of the streetscape along NW 8th Street.

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.

Finding: Goal X 1 and Policy 188.00 are satisfied in that 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's City Code:

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

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; provide tree-lined streets throughout the city; select, situate and maintain trees appropriately to minimize hazard, nuisance, damage, and maintenance costs; to enhance the appearance, beauty and charm of the City; to implement applicable adopted Downtown Improvement Plan provisions; to promote a diverse, healthy, and sustainable community forest; and to educate the public regarding community forest issues.

Finding: The purpose of the Trees chapter of the McMinnville Zoning Ordinance has been met. Approval of the removal request will allow for the removal of one tree that is damaging public improvements in the public right-of-way. The permitted removal of the existing tree and replacement with a healthy tree that meets the City's planting standards will carry out the purpose of the chapter.

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

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

Finding: The applicability of the ordinance is met. The tree being removed is located within the public right-of-way. Therefore, provisions of the Trees chapter of the McMinnville Zoning Ordinance apply and the removal of any tree within the public right-of-way requires City approval.

17.58.040 Tree Removal/Replacement

- A. The removal or major pruning of a tree, if applicable under Section 17.58.020, shall require City approval, unless specifically designated as exempt by this ordinance. Persons wishing to remove or prune such trees shall file an application for a permit with the McMinnville Planning Department. [...]

Finding: This criteria has been met. The applicant has filed an application for a Street Tree Removal Permit to be reviewed by the McMinnville Landscape Review Committee.

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

Finding: This criteria has been met by including a condition of approval to ensure the removal of the tree is performed to accepted City standards. This is reflected in Condition of Approval #3 in this decision document.

- C. The applicant shall be responsible for all costs associated with the tree removal or pruning, or as otherwise required by this ordinance, and shall ensure that all work is done in a manner which ensures safety to individuals and public and private property.

Finding: This criteria has been met by including a condition of approval to ensure the applicant shall be responsible for all costs associated with the tree removal. This is reflected in Condition of Approval #1 in this decision document.

- D. Approval of a request to remove a tree may be conditioned upon replacement of the tree with another tree approved by the city, or a requirement to pay to the city an amount sufficient to fund the planting and establishment by the city of a tree, or trees, of similar value. [...]

Finding: This criteria has been met by examining the suitability of a replacement street tree and determining that a replacement street tree in this location, or a nearby location, could not meet City street tree standards. Therefore, a replacement street tree is not required.

- E. The applicant is responsible for grinding stumps and surface roots at least six inches below grade. At least a two inch thick layer of topsoil shall be placed over the remaining stump and surface roots. The area shall be crowned at least two inches above the surrounding grade to allow for settling and shall be raked smooth. The applicant shall restore any damaged turf areas and grades due to vehicular or mechanical operations. The area shall be re-seeded.

Attachments:

Attachment 1 – Application for Street Tree Removal

Finding: This criteria has been met by including a condition of approval to ensure the applicant shall remove the stump and surface roots, and restore the planting strip. This is reflected in Conditions of Approval #3 in this decision document.

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

Finding: This criteria has been met by including a condition of approval to ensure the applicant shall complete the tree removal and replacement within 6 months of approval. This is reflected in Condition of Approval #4 in this decision document.

- G. Other conditions may be attached to the permit approval by the McMinnville Landscape Review Committee as deemed necessary.

Finding: No other conditions that have been deemed necessary have been attached to the permit approval.

- H. The planting of street trees shall be subject to the design drawings and specifications developed by the City in May 2014. Specific design drawings and specifications have been developed for trees outside the Downtown Tree Zone. Such design specifications may be periodically updated by the City to include specifications such as tree root barriers, watering tubes or structures, tree grates, and removable pavers, and shall graphically describe the proper method for planting trees to minimize the potential for sidewalk / tree root conflict.

Finding: This criteria is not applicable since no replacement street tree was required.

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

- B. The tree is in conflict with public improvements.

Finding: This criteria has been met. The applicant has provided evidence of the damage that has been caused by tree roots to the sidewalk adjacent to the property. The tree has a shallow root system, with some larger surface roots that are running beneath the sidewalk and driveway immediately adjacent to the tree. This has caused significant lifting and cracking of the sidewalk panel adjacent to the driveway approach to the point where it is becoming a safety hazard in the public right-of-way. Upon inspection of the site, Public Works staff confirmed that the street tree roots have damaged the adjoining sidewalk adjacent to the driveway approach. The crack in the sidewalk and the amount the panel has lifted is irreparable by grinding the sidewalk. The shallow root system will continue to exacerbate the problem in this location as the roots grow and expand. Therefore, the street tree removal request satisfies this criteria, as the tree is in conflict with public improvements adjacent to the subject property.



17.58.090 Street Tree Standards.

- 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.

Finding: This criteria has been met by approving the removal of a street tree planted within five (5) feet of a private driveway, and by not requiring a replacement tree in the same location that would not meet these standards.

JF



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

www.mcminnvilleoregon.gov

EXHIBIT 4 - STAFF REPORT

DATE: November 21, 2018
TO: Landscape Review Committee Members
FROM: Jamie Fleckenstein, PLA, Associate Planner
SUBJECT: Agenda Item 5A: Update on Approved Street Tree List Update

Report in Brief:

The purpose of this discussion item is to ensure that all Landscape Review Committee members are familiar with the draft revisions to the McMinnville Street Tree list format and content.

Background:

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

Revisions in progress to the Approved Street Tree List include changes to the format making the list more user-friendly, changes to the content of the list providing more information to the public about the characteristics of approved street trees and making the approved list more comprehensive to promote diversity of the urban forest, and providing additional guidance and information to help the public select the "Right Tree for the Right Place".

Discussion:

Staff will provide a brief overview of the revised street tree list format and content to date. Copies of the draft Street Tree List revisions are attached for reference.







































Fiscal Impact:














































None









































Recommendation/Suggested Motion:
















































No motion required. The Landscape Review Committee may provide continued guidance to staff for updating the McMinnville Street Tree List.


















JF

Scientific Name Common Name	Minimum Planter Width	Under Wires?	Mature Height	Width	Form	Flowers	Fall Color	Native	Comments
<i>Acer campestre</i> Hedge Maple	5	No	35	35					Very adaptable, tolerant of dry soils and compaction
<i>Acer circinatum</i> Vine Maple	5	Yes	25	25					Avoid using on harsh sites
<i>Acer tartaricum ssp. ginnala 'Flame'</i> Flame Amur Maple	5	Yes	25	20					Fragrant spring flowers, attractive fall color
<i>Acer griseum</i> Paperbark Maple	4	Yes	25	20					Attractive peeling coppery bark
<i>Acer griseum 'JFS-KW8AGRI'</i> Fireburst Paperbark Maple	4	Yes	25	18					Outstanding form and fall color, coppery peeling bark
<i>Acer palmatum 'Blood Good'</i> Blood Good Japanese Maple	4	Yes	20	20					Burgundy foliage
<i>Acer palmatum 'Sango Kaku'</i> Coralbark Japanese Maple	4	Yes	20	20					Bark on young stems brilliant coral
<i>Acer rubrum 'Armstrong'</i> Armstrong Red Maple	5	No	45	15					Light green foliage
<i>Acer rubrum 'Bowhall'</i> Bowhall Red Maple	6	No	40	20					Upright, pyramidal form
<i>Acer rubrum 'Karpick'</i> Karpick Red Maple	6	No	40	20					Finer texture than other narrow maples
<i>Acer rubrum 'October Glory'</i> October Glory Red Maple	6	No	40	35					One of the last trees to color in fall
<i>Acer truncatum x A. platanoides 'Keithsform'</i> Norwegian Sunset Maple	5	No	35	25					Consistent fall color
<i>Acer truncatum x A. platanoides 'Warrensred'</i> Pacific Sunset Maple	5	No	30	25					Consistent fall color
<i>Acer x freemanii 'Autumn Blaze'</i> Autumn Blaze Maple	6	No	50	40					Long-lasting fall color
<i>Amelanchier laevis 'JFS-Arb'</i> Spring Flurry Serviceberry	4	Yes	25	20					Exceptional form, showy spring flowers
<i>Amelanchier x grandiflora 'Autumn Brilliance'</i> Autumn Brilliance Serviceberry	4	Yes	20	15					Attractive spring flowers, fall color
<i>Carpinus betulus 'Fastigiata'</i> Columnar European Hornbeam	5	No	40	15					

Scientific Name Common Name	Minimum Planter Width	Under Wires?	Mature Height	Width	Form	Flowers	Fall Color	Native	Comments
<i>Carpinus betulus</i> 'JFS-KW1CB' Emerald Avenue Hornbeam	5	No	40	25					Superior heat tolerance
<i>Carpinus carolina</i> American Hornbeam	5	Yes	25	20					Outstanding fall color, tolerant of many soil conditions including periodic flooding
<i>Carpinus japonica</i> Japanese Hornbeam	5	Yes	20	25					Fall color not outstanding
<i>Cercidiphyllum japonicum</i> Katsura Tree	6	No	40	40					Sensitive to drought
<i>Cercis canadensis</i> Eastern Redbud	5	Yes	25	30					Showy flowers on bare branches in spring
<i>Cercis canadensis</i> 'Forest Pansy' Forest Pansy Eastern Redbud	5	Yes	25	30					Burgundy foliage; showy flowers on bare branches in spring
<i>Chionanthus retusus</i> Chinese Fringe Tree	4	Yes	20	30					Showy spring flowers; small, dark blue fruit in fall
<i>Chitalpa tashkentensis</i> 'Pink Dawn' Pink Dawn Chitalpa	4	Yes	25	25					Showy flowers resemble orchids, drought resistant
<i>Cladastris kentuckea</i> Yellowwood	5	No	40	40					Fragrant spring flowers resemble wisteria, blooms every 2-4 years
<i>Cornus</i> 'Eddie's White Wonder' Kousa Dogwood	5	No	30	20					Best in well-drained soil
<i>Cornus kousa</i> Kousa Dogwood	4	Yes	20	20					Many cultivars, some have pink/red floral bracts
<i>Cornus nuttallii</i> Pacific Dogwood	5	No	40	30					Large white flowers in spring with occasional blooms in fall; best in part shade
<i>Davidia involucrata</i> Dove Tree	5	No	40	30					Large, unique flowers
<i>Fagus sylvatica</i> European Beech	8	No	75	50					Attractive smooth, gray bark
<i>Fagus sylvatica</i> 'Purpurea' European Beech	8	No	75	50					Attractive smooth, gray bark; leaves emerge purple and fade to green
<i>Fagus sylvatica</i> 'Tricolor' European Beech	5	No	30	30					Attractive smooth, gray bark; variagated foliage (purple/pink, green, and white)
<i>Franklina alatamaha</i> Franklinia	4	Yes	20	15					Large, fragrant flowers and attractive fall color

Scientific Name Common Name	Minimum Planter Width	Under Wires?	Mature Height	Width	Form	Flowers	Fall Color	Native	Comments
<i>Fraxinus americana</i> 'Autumn Purple' Autumn Purple Ash	6	No	40	25					Reddish-purple fall color; seedless
<i>Fraxinus latifolia</i> Oregon Ash	8	No	75	25					Will tolerate winter standing water or dry-season drought once established
<i>Fraxinus oxycarpa</i> 'Raywood' Raywood Ash	6	No	40	30					Reddish-purple fall color; may produce seeds
<i>Fraxinus pennsylvanica</i> 'Patmore' Patmore Green Ash	6	No	45	35					Symmetrical, upright form; very adaptable; seedless
<i>Fraxinus pennsylvanica</i> 'Urbanite' Urbanite Green Ash	6	No	50	40					Seedless; bronzy fall color
<i>Ginkgo biloba</i> 'Autumn Gold' Autumn Gold Ginkgo	6	No	40	40					Male only; yellow to gold fall color
<i>Ginkgo biloba</i> 'JFS-UGA2' Golden Colonnade Ginkgo	6	No	45	25					Male only; ideal for narrow street use
<i>Ginkgo biloba</i> 'Magyar' Magyar Ginkgo	6	No	50	25					More upright and narrow than Autumn Gold
<i>Ginkgo biloba</i> 'Princeton Sentry' Autumn Gold Ginkgo	6	No	40	15					Male only; yellow to gold fall color
<i>Koelreuteria paniculata</i> Golden Rain Tree	5	No	30	30					Midsummer blooms resemble paper lanterns, slow growing
<i>Lagerstroemia indica</i> x <i>fauriei</i> 'Tuscarora' Tuscarora Crape Myrtle	4	Yes	20	20					Four season interest
<i>Liriodendron tulipifera</i> Tulip Tree	8	No	60	30					Fast growing tree; tulip shaped flowers
<i>Liriodendron tulipifera</i> 'JFS-Oz' Emerald City Tulip Tree	6	No	50	25					Straighter and more upright than species
<i>Nyssa sylvatica</i> Black Gum	5	No	45	25					Brilliant yellow-orange fall color; small dark ornamental fruit
<i>Nyssa sylvatica</i> 'Wildfire' Wildfire Black Gum	5	No	45	30					Foliage emerges bright red and turns green before turning brilliant yellow-orange in fall
<i>Ostrya virginiana</i> Ironwood	5	No	40	25					Hop-like fruit, slow growing
<i>Oxydendron arboreum</i> Sourwood	5	No	35	12					Brilliant fall color

Scientific Name Common Name	Minimum Planter Width	Under Wires?	Mature Height	Width	Form	Flowers	Fall Color	Native	Comments
<i>Parrotia persica</i> Persian Parrotia	5	No	30	20					Showy flowers on bare branches in spring
<i>Platanus x acerifolia</i> 'Bloodgood' Bloodgood London Planetree	8	No	75	60					Attractive bark; generally tolerant of urban conditions
<i>Prunus cerasifera</i> 'Thundercloud' Thundercloud Plum	5	No	30	20					Burgundy foliage
<i>Prunus</i> 'Frankthrees' Mt. St. Helens Plum	4	Yes	20	20					Burgundy foliage; faster growing and sturdier than Newport
<i>Prunus</i> 'Newport' Newport Plum	4	Yes	20	20					Burgundy foliage
<i>Prunus</i> 'Okame' Okame Flowering Cherry	4	Yes	25	20					Rosy pink flowers
<i>Prunus serrulata</i> 'Kwanzan' Kwanzan Cherry	5	Yes	25	20					Double pink flowers; bronze-red new growth
<i>Prunus serrulata</i> 'Shirotae' Mt. Fuji Flowering Cherry	4	Yes	20	25					Semi-double white flowers; bronzy fall color
<i>Prunus</i> 'Snowgoose' Snow Goose Cherry	5	Yes	20	20					Disease-resistant foliage
<i>Prunus subhirtella</i> 'Autumnalis Rosea' Autumn Rose Higan Cherry	4	No	30	25					Double pink flowers in spring with an occasional fall bloom
<i>Prunus virginiana</i> 'Canada Red' Canada Red Chokecherry	4	Yes	25	20					Foliage emerges green and turns purple
<i>Prunus x yedoensis</i> Yoshino Cherry	5	No	40	30					Flowers appear before leaves in spring
<i>Prunus x yedoensis</i> 'Akebono' Akebono Flowering Cherry	4	Yes	25	25					Masses of large, semi-double pink flowers
<i>Rhamnus purshiana</i> Casacara	4	Yes	25	20					Small native tree with black berries
<i>Stewartia monadelph</i> Tall Stewartia	5	No	30	20					Avoid hot, dry sites; attractive peeling bark
<i>Stewartia pseudocamellia</i> Japanese Stewartia	5	Yes	25	25					Attractive spring flowers and peeling bark, outstanding fall color
<i>Styrax japonicus</i> Japanese Snowbell	4	Yes	20	20					Needs regular water during establishment

Scientific Name Common Name	Minimum Planter Width	Under Wires?	Mature Height	Width	Form	Flowers	Fall Color	Native	Comments
<i>Styrax obassia</i> Fragrant Snowbell	5	Yes	25	20					Fragrant spring flowers
<i>Tilia cordata 'De Groot'</i> Summer Sprite Linden	5	No	30	20					Compact form
<i>Tilia cordata 'Halka'</i> Summer Sprite Linden	4	Yes	20	15					Well suited to confined city spaces
<i>Zelkova serrata 'Green Vase'</i> Green Vase Zelkova	6	No	50	40					High tolerance for wind, pollution, drought, and compacted soils; fast grower
<i>Zelkova serrata 'JFS-KW1'</i> City Sprite Zelkova	4	Yes	25	20					Compact form
<i>Zelkova serrata 'Schmidtlow'</i> Wireless Zelkova	4	Yes	25	35					Ideal shape for planting under utility lines
<i>Zelkova serrata 'Village Green'</i> Village Green Zelkova	6	No	50	40					High tolerance for wind, pollution, drought, and compacted soils
<i>Acer buergerianum</i> Trident Maple	4	Yes	25	25					



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

www.mcminnvilleoregon.gov

EXHIBIT 5 - STAFF REPORT

DATE: November 21, 2018
TO: Landscape Review Committee Members
FROM: Jamie Fleckenstein, PLA Associate Planner
SUBJECT: Agenda Item 5B: 2019 Work Plan

Report in Brief:

The purpose of this item is to discuss a framework that can inform a 2019 Work Plan to guide the Landscape Review Committee activities over the coming year.

Background:

The Landscape Review Committee has a defined purpose in the McMinnville Municipal City Code: To ensure that the appearance of the City of McMinnville is enhanced by encouraging quality landscaping which will benefit and protect the health, safety and welfare of the general public.

Establishing a work plan will identify goals, strategies, and actions that can guide the LRC's activities over the course of the coming year that support the Committee's purpose.

Discussion:

Staff will guide a discussion of creating a work plan for 2019 that includes goals, strategies, and actions used to guide and complete activities over the course of the year. Based on prior discussion, possible activities for the Landscape Review Committee in 2019 may include:

- Revision of the McMinnville Approved Street Tree List
- Inventory of Downtown Street Trees
- Study of Tree Canopy
- Hiring of 3rd Party Consulting Arborist for Downtown Tree Removal Requests

Detailed actions, timeframes, and estimated costs can be developed for each activity, once identified and approved by the Committee. A sample template for a work plan is attached for your reference.

Fiscal Impact:

None.

Recommendation/Suggested Motion:

No motion required.

Attachments:
Work Plan Template

McMinnville Landscape Review Committee - 2019 Work Plan

GOAL :

Strategy	Action	Priority	Timeframe	Cost	Responsibility

GOAL:

Strategy	Action	Priority	Timeframe	Cost	Responsibility

GOAL:

Strategy	Action	Priority	Timeframe	Cost	Responsibility