

## **ORDINANCE NO. 5156**

### **AN ORDINANCE AMENDING TITLE 17 (ZONING) OF THE MCMINNVILLE MUNICIPAL CODE, CHAPTER 17.57 "LANDSCAPING" AND CHAPTER 17.58 "TREES," AND APPROVING THE DECISION, FINDINGS, AND CONCLUSIONARY FINDINGS FOR DOCKET G 2-24.**

#### **RECITALS:**

**WHEREAS**, Docket G 2-24 is a legislative action amending provisions related to landscaping in Title 17 (Zoning) of the McMinnville Municipal Code.

**WHEREAS**, Docket G 2-24, a draft legislative proposal for amendments to standards for landscape plans, landscape standards, and street tree plans, was initiated on November 7, 2024 with notice of the proposed amendments and a October 2, 2024 Planning Commission public hearing submitted to DLCD.

**WHEREAS**, on November 1, 2024, notice of the application and the November 7, 2024 Planning Commission public hearing was published in the News Register in accordance with Section 17.72.120 of the Zoning Ordinance.

**WHEREAS**, on November 7, 2024, the Planning Commission held a duly noticed public hearing to consider the request. The Planning Commission recommended City Council approve the proposed amendments as presented.

**WHEREAS**, notice of the January 14, 2025 City Council meeting was posted on the City website in accordance with Oregon public meetings law and the item was continued.

**WHEREAS**, notice of the April 22, 2025 City Council meeting was posted on the City website in accordance with Oregon public meetings law and the item was continued.

**WHEREAS**, notice of the May 13, 2025, City Council meeting was posted on the City website in accordance with Oregon public meetings, and the vote on the first reading was not unanimous.

**WHEREAS**, notice of the May 27, 2025 City Council meeting was posted on the City website in accordance with Oregon public meetings.

**WHEREAS**, the City Council received the Planning Commission recommendation and staff report, and deliberated.

**WHEREAS**, the City Council, being fully informed about said request, found that the requested amendments attached as Exhibit A conform to the applicable criteria, including the Comprehensive Plan goals and policies, as well as the McMinnville Zoning Ordinance, based on the material submitted by the Planning Division and the findings of fact and conclusionary findings for approval in Exhibit B.

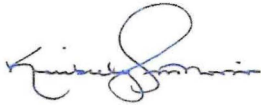
**NOW, THEREFORE, THE COMMON COUNCIL FOR THE CITY OF  
MCMINNVILLE ORDAINS AS FOLLOWS:**

1. The McMinnville Zoning Ordinance is amended as provided in Exhibit A;  
and
2. The Council adopts the Decision, Findings, and Conclusionary Findings  
for Docket G 2-24 attached as Exhibit B; and
3. This Ordinance will take effect 30 days after passage by the City  
Council.

Passed by the McMinnville City Council this 27<sup>th</sup> day of May 2025 by the  
following votes:

Ayes: Cunningham, Tucholsky, Chenoweth, Peralta

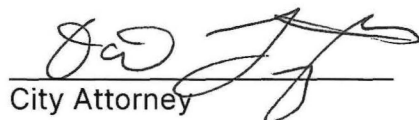
Nays: Geary



\_\_\_\_\_  
MAYOR

Approved as to form:

Attest:

  
\_\_\_\_\_  
City Attorney

Claudia Cisneros  
\_\_\_\_\_  
City Recorder

**EXHIBITS:**

- A. Amendments to McMinnville Zoning Ordinance (17.57 of McMinnville Municipal  
Code)
- B. Decision, Findings, and Conclusionary Findings for Docket G 2-24

**McMinnville Zoning Ordinance  
Amendments to Provisions Relating to Landscape Plans, Landscape  
Standards, and Street Tree Plans**

New text is in **bold, italic, underline text**. Deleted text is in ~~strikethrough-text~~.

Chapter 17.57

LANDSCAPING

**(as amended by Ordinance No. Ord. 5156)**

Sections:

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

17.57.010 Purpose and intent. The purpose and intent of this Chapter is to encourage and, where appropriate, require the use of landscape elements, particularly plant materials, in proposed developments in an organized and harmonious manner that will enhance, protect and promote the economic, ecological and aesthetic environment of McMinnville. Landscaping is considered by McMinnville to be an integral part of a complete comprehensive development plan. The City recognizes the value of landscaping in achieving the following objectives:

A. Provide guidelines and standards that will:

1. Reduce soil erosion and the volume and rate of discharge of storm water runoff.
2. Aid in energy conservation by shading structures from energy losses caused by weather and wind.
3. Mitigate the loss of natural resources.
4. Provide parking lot landscaping to reduce the harmful effects of heat, noise and glare associated with motor vehicle use.
5. Create safe, attractively landscaped areas adjacent to public streets.
6. Require the planting of street trees along the City's rights-of-way.



7. Provide visual screens and buffers that mitigate the impact of conflicting land uses to preserve the appearance, character and value of existing neighborhoods.
8. Provide shade, and seasonal color.
9. Reduce glare, noise and heat.
- B. Promote compatibility between land uses by reducing the visual noise and lighting impacts of specific developments on users of the site and abutting properties.
- C. Unify development and enhance and define public and private places.
- D. Preserve existing mature trees.
- E. Enhance the urban forest and tree canopy.
- F. Encourage the use of plants native to the Willamette Valley to the maximum extent feasible, in order to reduce watering requirements and agricultural chemical applications, and to provide a sense of regional identity with plant communities unique to the area.
- G. Establish and enhance a pleasant visual character and structure to the built environment that is sensitive to safety and aesthetic issues.
- H. Support McMinnville as a community that cares about its appearance.

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

The guidelines and standards contained in this chapter serve to help McMinnville realize the objectives noted above. These guidelines and standards are intended as minimum standards for landscape treatment. Owners and developers are encouraged to exceed these in seeking more creative solutions both for the enhanced value of their land and for the collective health and enjoyment of all citizens of McMinnville. The landscaping provisions in Section 17.57.070 are in addition to all other provisions of the zoning ordinance which relate to property boundaries, dimensions, setback, vehicle access points, parking provisions and traffic patterns. The landscaping objectives shall also seek to accomplish the purposes set forth in Section 17.03.020. (Ord. 5027 §2, 2017; Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

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

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

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



- G. M-1 (Light Industrial zone);
- H. M-2 (General Industrial zone). (Ord. 5027 §2, 2017; Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

17.57.040 Specific uses requiring landscaping.

- A. Churches, subject to the landscaping requirements of a multiple-family development when in a residential zone and subject to the landscaping requirements of a commercial development when in a zone other than residential;
- B. Utility substations, subject to the landscaping requirements of commercial uses.
- C. Mobile home park, subject to the requirements of a multiple-family development;
- D. Multiple-family, commercial, and industrial uses in residential planned developments, subject to the landscaping requirements of the type of use in the planned development. (Ord. 5027 §2, 2017; Ord. 4264 §1, 1983; Ord. 4254 §1, 1983; Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

17.57.050 Plans - Submittal and Review – Approval – Completion Time

Limit.

- ~~A. At the time the applicant applies for a building permit, they shall submit, for the Landscape Review Committee, two copies of a landscaping and plot plan. If the plot plan and landscaping plan are separate documents, two copies of each shall be submitted. These may be submitted to the Building Department to be forwarded to the Planning Department.~~
  - ~~1. No building permit shall be issued until the landscaping plan has been approved.~~
  - ~~2. The landscaping plan may be used as the plot plan required for a building permit, provided all information required for a building permit is provided;~~

**A. Review Process. Two review processes are available for landscape review: administrative and discretionary. An applicant may choose which process to use. The administrative process utilizes standards that do not require the use of discretionary decision-making. The discretionary process utilizes purpose and intent that are more subjective in nature and are intended to provide the applicant with more design flexibility. Regardless of the review process, the applicant must demonstrate how the applicable standards or the purpose and intent of this Chapter are being met.**

**1. Administrative Review Process. An application for Administrative Review shall comply with the standards of this Chapter.**

- a. Prior to or concurrent with a building permit application, the applicant shall submit a landscape plan application and applicable fees for review, with a landscape plan**



- containing all of the information specified in Section 17.57.060;
- b. The Planning Director shall conduct a review within thirty (30) days of submission of the plans. A failure to review within thirty (30) days shall be considered as approval of the plan.
  - c. The landscape plan shall be approved if it is found to comply with the criteria in Section 17.57.040 and Section 17.57.070.
  - d. No building permit shall be issued until the landscape plan has been approved, unless exempted in writing by the Planning Director.
  - e. Minor changes in the landscape plan shall be allowed, such as like-for-like replacement of plants, as long as they do not alter the character and aesthetics of the original plan, as determined by the Planning Director, and those changes do not bring the landscape plan into non-compliance with the standards of this chapter.
2. Discretionary Review Process. The applicant may opt for the discretionary review procedure in accordance with the provisions of this subsection.
- a. Prior to or concurrent with a building permit application, the applicant shall submit a completed Discretionary Review Landscape application, applicable fees, and the following information:
    - 1) A landscape plan application with a landscape plan containing all of the information specified in 17.57.060, and the following additional information:
      - a. Identifies those areas that do not fully comply with the standards in this Chapter;
      - b. Identifies the design features or overall design concept proposed to accomplish Section 17.57.010;
    - 2) A written narrative that:
      - a. Identifies which standards in this Chapter the proposal does not fully comply with;
      - b. Identifies the design features or overall design concept proposed to accomplish Section 17.57.010;
      - c. Identifies how the plans meet the purpose, intent and requirements of this chapter.
  - b. Upon receipt of a complete application, the Planning Director shall review the application for completeness within fifteen (15) days of the date that the application is submitted. If, upon review, the application is found to be incomplete, the applicant shall be advised in writing of the information needed to complete the application within fifteen (30) days of the date of application submittal. The



application shall be deemed complete upon receipt of all the missing information or upon written notice from the applicant that some or all the missing information will not be provided. Throughout all land use proceedings, the burden of proof shall rest on the applicant.

- c. Landscaping review shall occur by the Landscape Review Committee within thirty (30) days from the date the application is deemed complete. The applicant shall be notified of the time and place of the review and is encouraged to be present, although their presence shall not be necessary for action to be taken on the plans. A failure to review within thirty (30) days shall be considered as approval of the plan;
- d. Only those standards identified within this Chapter are subject to discretionary review; standards related to landscaping outside of this Chapter may only be reduced in limited circumstances as permitted by variance or as otherwise specified;
- e. The landscape plan shall be approved if it is found to be compatible with Section 17.57.010, applicable goals and policies of the McMinnville Comprehensive Plan, McMinnville Great Neighborhood principles, and all other applicable implementing ordinances.
- f. No building permit shall be issued until the landscape plan has been approved, unless exempted in writing by the Planning Director.
- g. The Applicant may request a modification of a previously approved landscape plan by filing a petition to the Planning Director. Minor changes in the landscape plan, such as like-for-like replacement of plants, shall be allowed, as long as they do not alter the character and aesthetics of the original plan. If one or more of the modifications proposed will bring the plan into further non-compliance with standards or adjust an identified design feature or overall design concept proposed to accomplish Section 17.57.050(2)(d), the plan shall be resubmitted, with fee, to the Landscape Review Committee for review subject to the review process of 17.57.050(A)(2). Issuance of building permits will be postponed until the revised plan(s) has been processed in accordance with this section. The petition shall include:
  - 1) A written narrative identifying the proposed alterations to the previously approved plans.

~~B. Landscaping review shall occur within 30 (thirty) days of submission of the plans. The applicant shall be notified of the time and place of the review and is encouraged to be present, although their presence shall~~



~~not be necessary for action to be taken on the plans. A failure to review within 30 (thirty) days shall be considered as approval of the plan;~~

- ~~C. The landscaping plan shall be approved if it is found to be compatible with the purpose, intent, and requirements of this chapter. Approval of the landscaping plan shall be indicated upon the plot plans. Any modifications shall be specified on the plans and agreed to in writing by the applicant prior to the issuance of a building permit. One copy of said approved plan shall be retained by the Planning Department and included within the permanent file;~~

**B. The applicant is responsible for ensuring approved landscape plans comply with Building and Civil Plans; additional fees may be assessed for repeated review.**

- C. Occupancy permits may be issued prior to the complete installation of all required landscaping if security equal to 120 percent of the cost of landscaping, as determined by the Planning Director is filed with the City assuring such installation within a time specified by the Planning Director , but not to exceed six months after occupancy. The applicant shall provide the estimates of landscaping materials and installation to the satisfaction of the Planning Director prior to approval of the security. "Security" may consist of a faithful performance bond payable to the City, cash, certified check, time certificate of deposit, or assignment of a savings account, and the form shall meet with the approval of the City Attorney. If the installation of the landscaping is not completed within the period specified by the Planning Director, or within an extension of time authorized by the Landscape Review Committee, the security may be used by the City to complete the installation. Upon completion of the installation, inspection, and approval, any portion of the remaining security deposited with the City shall be returned. The final landscape inspection shall be made prior to any security being returned. Any portions of the plan not installed, not installed properly, or not properly maintained shall cause the final inspection and/or approval to be postponed until the project is completed or cause the security to be used by the City;
- D. All completed landscape projects shall be inspected by the Planning Director . Said projects shall be found to be in compliance with the approved plans prior to the issuance of an occupancy certificate for the structure, or prior to any security or portion thereof being refunded to the applicant. Minor changes in the landscape plan shall be allowed, as determined by the Planning Director or their designee, as long as they do not alter the character, intent, and aesthetics of the original plan. (Ord. 5156, 2025; Ord. 5027 §2, 2017; Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

**17.57.060 Plans - Information to be Included in the Application.** The following information shall be included in the landscape plans review application submitted under Section 17.57.050:

- ~~A. Existing locations of trees over six inches in diameter, their variety (common or botanical name) and indication of whether they are to~~



remain or to be removed from the site. In the event a large number of trees are to be retained and if no construction or construction access is required through or within the drip line of the trees, the general area with the number of trees involved may be given in lieu of listing and locating each tree;

- A. Existing locations of trees with a trunk five (5) inches or more in diameter 4.5 feet above ground level at the base of the trunk or if a tree splits into multiple trunks below 4.5 feet measured at its most narrow point beneath the split, their variety (common or botanical name) and indication of whether they are to remain or to be removed from the site. Method of protection of trees and shrubs to remain indicated. In the event a large number of trees are to be retained and if no construction or construction access is required through or within the drip line of the trees, the general area with the number of trees involved may be given in lieu of listing and locating each tree;
- B. The location, in which new plantings will be made size, and the variety (common or and botanical name), and size of all new trees, shrubs, groundcover and lawns at maturity;
- C. The percentage of the gross area to be landscaped;
- D. Any equipment proposed for recreation uses;
- E. All existing and proposed site features including walkways, graveled areas, patios, courts, fences, decks, foundations, structures, potted trees, raised planters, or other open spaces with construction details, location, setbacks, and any additional information necessary so that the review committee may be fully knowledgeable of the project when discussing the application;
- F. The location of watering facilities or irrigation systems, or construction notes on the landscape plan detailing the type of watering facilities or irrigation systems that will be installed or to be used, in sufficient detail to demonstrate compliance with Section 17.57.070(5);
- G. If the discretionary review process is requested, submit those additional items identified in Section 17.57.050(A)(2)(a), including the required information on the landscape plan and the written narrative;
- H. All of the following information on the plot plan for the building permit must be included in the landscape plan:
  - 1. North arrow.
  - 2. Drawn to scale (standard architectural or engineering).
  - 3. Lot and building setback dimensions.
  - 4. Clear vision areas as identified in Section 17.54.080.
  - 5. Property corner elevations (if there is more than a 4-foot elevation differential, site plan must show contour lines at 2-foot intervals).
  - 6. Location of easements and driveway (existing and proposed).
  - 7. Footprint of new structure (including decks).
  - 8. Location of existing wells and septic systems.



9. Existing and proposed utility locations, including sanitary sewer, storm sewer, water lines, utility poles, powerlines, fire hydrants, streetlights, natural gas, utility meters, etc.
10. Lot area, building coverage area, percentage of coverage and impervious area.
11. Surface drainage.
12. Location and extent of fill on the lot.
13. Existing and platted street names and other public ways.
- I. Planting schedule to include quantity, size, and variety (common and botanical) of all plant materials.
- J. If tree protection is required per Section 17.58.075, provide a Tree Protection Plan
- K. For any addition or expansion of an existing structure or parking lot that results in additional lot coverage and in addition to other requirements set forth in this subsection, square footage of existing lot coverage, (building area, not including basement or upper floors, and parking or loading areas) and the square footage of the additional lot coverage.
- L. If the discretionary review process is requested, submit those additional items identified in Section 17.57.050(A)(2)(a), including the required information on the landscape plan and the written narrative; (Ord. 5156, 2025; Ord. 5027 §2, 2017; Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

17.57.070 Area Determination - Planning Factors.

- A. Landscaping shall be accomplished within the following ranges:
1. Industrial, at least seven percent of the gross area. This may be reduced to not less than five percent upon approval of the review committee. (The gross area to be landscaped may only be reduced by the review committee if there is a showing by the applicant that the intent and purpose of this chapter and subsection B of this section are met.)
  2. Commercial, at least seven percent of the gross area. This may be reduced to not less than five percent upon approval of the review committee. (The gross area to be landscaped may only be reduced by the review committee if there is a showing by the applicant that the intent and purpose of this chapter and subsection B of this section are met.)
  3. Multiple-dwelling, twenty-five percent of the gross area. This may be reduced to not less than fifteen percent upon approval of the review committee. (The gross area to be landscaped may only be reduced by the review committee if there is a showing by the applicant that the intent and purpose of this chapter and subsection B of this section are met.)
  4. A parking lot or parking structure built in any zone providing parking spaces as required by the zoning ordinance shall be landscaped in accordance with the commercial requirements set forth above in subsection 2 of this section.



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

$$\text{a. } \frac{\text{ALC (additional lot coverage)}}{\text{ELC (Existing Lot Coverage)}} \times \frac{\% \text{ of landscaping required}}{\% \text{ of landscaping required}} \times \text{Total lot area}$$

- b. Landscaping to be installed on an addition or expansion may be spread over the entire site (original and addition or expansion projects) with the approval of the review committee;

**B. The following factors shall be considered by the applicant when planning the landscaping in order to accomplish the purpose set out in Section 17.57.010. The Landscape Review Committee shall have the authority to deny an application for failure to comply with any or all of these conditions Landscape plans shall meet the following standards, unless the Discretionary Review Process of Section 17.57.050 (B)(2) is requested by the Applicant:**

1. Compatibility with the proposed project and the surrounding and abutting properties and the uses occurring thereon.
2. Screening the proposed use by sight-obscuring, evergreen plantings, shade trees, fences, or combinations of plantings and screens.
3. The retention of existing trees and natural areas that may be incorporated in the development of the project. The existing grade should be preserved to the maximum practical degree. Existing trees shall be provided with a watering area equal to at least one-half the crown area.
4. The development and use of islands and plantings therein to break up parking areas.
5. The use of suitable street trees in the development of new subdivisions, shopping centers and like developments. Certain trees shall be prohibited in parking areas: poplar, willow, fruit, nut, birch, conifer, and ailanthus.
6. Suitable watering facilities or irrigation systems must be included in or near all planted areas;

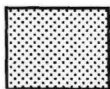
**C. All landscaping approved through the Landscape Review Committee by the landscape plan shall be continually maintained, including**

necessary watering, weeding, pruning, mowing, and replacement. Minor changes in the landscape plan, such as like for like replacement of plants, shall be allowed, as long as they do not alter the character and aesthetics of the original plan. It shall be the Planning Director's decision as to what constitutes a major or minor change. Major changes to the landscape plan shall be reviewed and approved by the Landscape Review Committee. (Ord. 5156, 2025; Ord. 5027 §2, 2017; Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

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

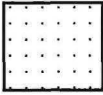
- A. Area I is that area between Adams Street and the railroad tracks and between Second and Fourth Streets. The landscaping requirements set forth herein shall not apply to this portion of the central business district, except for the provision of street trees according to the city's master plan;
-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

#### REDUCED LANDSCAPING REQUIREMENTS



Area I No Required Landscaping





## Area II - One-Half Required Landscaping

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

17.57.100 Appeal—Planning Commission to act when.

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





**City of  
McMinnville**

PLANNING

**City of McMinnville  
Community Development**

231 NE Fifth Street  
McMinnville, OR 97128  
503-434-7311

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

**DECISION, FINDINGS OF FACT AND CONCLUSIONARY FINDINGS FOR THE  
APPROVAL OF LEGISLATIVE AMENDMENTS TO THE MCMINNVILLE ZONING  
ORDINANCE, DOCKET G 2-24, RELATING TO LANDSCAPE REVIEW PROCESS AND  
LANDSCAPE PLAN SUBMISSION REQUIREMENTS CHAPTERS 17.57**

**DOCKET:** G 2-24

**REQUEST:** Proposed amendments to the McMinnville Zoning Ordinance,  
adopting amended standards for landscape review process  
and landscape plan submission requirements.

**LOCATION:** N/A. The proposal is a legislative text amendment.

**ZONING:** N/A. The proposal is a legislative text amendment.

**APPLICANT:** City of McMinnville

**STAFF:** Taylor Graybehl, Senior Planner

**HEARINGS BODY:** McMinnville Planning Commission

**DATE & TIME:** November 7, 2024, 6:30pm. Hybrid In-Person and Zoom  
Online Meeting:

**In Person:** Kent Taylor Civic Hall, 200 NE 2<sup>nd</sup> Street,  
McMinnville

**Zoom Meeting:**

<https://mcminnvilleoregon.zoom.us/j/89368634307?pwd=M0REY3RVSzFHeFdmK2pZUmJNdkdSZz09>

**Zoom Meeting ID:** 893 6863 4307

**Zoom Passcode:** 989853

Or you can call in and listen via Zoom: 1-253-215-8782  
ID: 893 6863 4307

**BODY:** McMinnville City Council

**DATE & TIME:** May 27, 2025, 7:00 PM. Hybrid In-Person and Zoom Online Meeting: Kent Taylor Civis Hall, 200 NE 2<sup>nd</sup> Street, McMinnville, Zoom Meeting ID: 872 7518 5011

**PROCEDURE:** The application is subject to the legislative land use procedures specified in Sections 17.72.120 - 17.72.160 of the McMinnville Municipal Code.

**CRITERIA:** Amendments to the McMinnville Zoning Ordinance must be consistent with the Goals and Policies in Volume II of the Comprehensive Plan and the Purpose of the Zoning Ordinance.

**APPEAL:** The Planning Commission will make a recommendation to the City Council. The City Council's decision on a legislative amendment may be appealed to the Oregon Land Use Board of Appeals (LUBA) within 21 days of the date written notice of the City Council's decision is mailed to parties who participated in the local proceedings and entitled to notice and as provided in ORS 197.620 and ORS 197.830, and Section 17.72.190 of the McMinnville Municipal Code.

## DECISION

Based on the findings and conclusionary findings, the City Council **APPROVES** the legislative amendments to the Zoning Ordinance (Docket G 2-24).

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**DECISION: APPROVAL**

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City Council: \_\_\_\_\_ Date: 05/27/2025  
Kim Morris, Mayor

Planning Commission: \_\_\_\_\_ Date: 5/29/2025  
 Sidonie Winfield, Chair of the McMinnville Planning Commission

Planning Division:  Date: 5/29/2025  
Heather Richards, Community Development Director

## **I. APPLICATION SUMMARY**

This application is a legislative proposal for amendments to the McMinnville Zoning Ordinance, adopting amended standards for the landscape review process and landscape plan submission requirements in Chapter 17.57.

## **II. ATTACHMENTS**

- Attachment 1. Amendments (on file with Planning Division; see also Exhibit A to Ordinance 5156)

## **III. FINDINGS OF FACT – GENERAL FINDINGS**

Docket G 2-24 is a legislative package of City-initiated proposed McMinnville Comprehensive Plan and McMinnville Municipal Code amendments related to Chapter 17.57 Landscaping. The proposal is intended to implement the adopted revised standards for the landscape review process and landscape plan submission requirements.

The City Council finds that based on the findings of fact and the conclusory findings contained in this findings report, the proposed amendments to Chapters 17.57 of the McMinnville Zoning Ordinance are consistent with all applicable state and local regulations.

This findings document provides conclusory findings regarding consistency with applicable provisions of state and local law. Supporting these is a factual basis upon which the conclusory findings rest.

## **IV. FINDINGS OF FACT - PROCEDURAL FINDINGS**

1. On September 11, 2024, city staff hosted a work session with the Landscape Review Committee to discuss amendments to regulations related to landscape plans, landscape standards, and street tree plans. At the time, the Landscape Review Committee recommended bringing the item before the Planning Commission.
2. On October 2, 2024, notice of the application and the November 7, 2024 Planning Commission public hearing was provided to DLCD.
3. On October 3, 2024, city staff hosted a work session with the Planning Commission to discuss options for landscaping and tree amendments to the McMinnville City Code. The options presented largely reflect the amendments as recommended by the Landscape Review Committee. At that time, the Planning Commission provided direction to move forward with a legislative effort to amend the McMinnville Municipal Code to modify regulatory standards for landscape plans, landscape standards, and street tree plans.



4. On November 1, 2024, notice of the application and the November 7, 2024 Planning Commission public hearing was published in the News-Register in accordance with Section 17.72.120 of the Zoning Ordinance.
5. On November 7, 2024, the Planning Commission held a duly noticed public hearing to consider the request.
6. Notice of the January 14, 2025, City Council meeting was posted on the City website in accordance with Oregon public meetings law and the item was continued.
7. Notice of the April 22, 2025, City Council meeting was posted on the City website in accordance with Oregon public meetings law and the item was continued.
8. The City Council held a meeting on May 13, 2025, and considered the Planning Commission's recommendation, reading Ordinance No. 5156 for the first time. The vote on the first reading was not unanimous.
9. The City Council held a meeting on May 27, 2025, and considered the recommendation of the Planning Commission, reading Ordinance No. 5156 for the second time, and voted to approve the proposed amendment.

#### **V. CONCLUSIONARY FINDINGS:**

The Conclusionary Findings are the findings regarding consistency with the applicable criteria for the application.

#### **Zoning Ordinance**

The Purpose Statement of the Zoning Ordinance serves as a criterion for Zoning Ordinance amendments:

17.03.020 Purpose. The purpose of the ordinance codified in Chapters 17.03 (General Provisions) through 17.74 (Review Criteria) of this title is to encourage appropriate and orderly physical development in the city through standards designed to protect residential, commercial, industrial, and civic areas from the intrusions of incompatible uses; to provide opportunities for establishments to concentrate for efficient operation in mutually beneficial relationship to each other and to shared services; to provide adequate open space, desired levels of population densities, workable relationships between land uses and the transportation system, adequate community facilities; and to provide assurance of opportunities for effective utilization of the land resources; and to promote in other ways public health, safety, convenience, and general welfare.

**FINDING: SATISFIED.** The proposed amendments amend standards for landscape plans, landscape standards, and street tree plans. The Planning Commission evaluated the recommendations of the Landscape Review Committee, and a variety of issues related to increased efficiencies and the identified purpose of landscaping within the Zoning Ordinance. The proposal strikes a balance between

the purpose and intent of Chapter 17.57 and the efficiencies required for staff time.

### **Comprehensive Plan**

As described in the Comprehensive Plan, the Goals and Policies of the Comprehensive Plan serve as criteria for land use decisions. The following Goals and Policies from Volume II of the McMinnville Comprehensive Plan are applicable to this request:

## ***CHAPTER X. CITIZEN INVOLVEMENT AND PLAN AMENDMENT***

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

**FINDING: SATISFIED.** The proposal is consistent with this applicable Goal of Chapter X of the Comprehensive Plan.

The Planning Commission held a work session on October 3, 2024 to evaluate a draft zoning ordinance amendment and consider best practices, including those of other communities.

At the work session, the Planning Commission agreed to initiate the public hearing process for public consideration of the draft proposal presented.

The Commission determined that the proposed amendments best-balanced Chapter 17.57's purpose and intent, staff time efficiencies, and the State of Oregon's requirement for clear and objective standards for middle housing.

Notice of the proposal and public hearing was provided to DLCD and published in the newspaper.

The public hearing process provides further opportunity for consideration of citizen involvement and input and associated deliberation.