



**Landscape Review Committee**  
**Hybrid In-Person & ZOOM Online Meeting**  
**Wednesday, September 11, 2024 - 12:00 PM**

*Please note that this meeting will be conducted in-person at the Community Development Center Large Conference Room, 231 NE Fifth Street, and via ZOOM.*

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

<https://mcminnvilleoregon.zoom.us/j/84984931905?pwd=rtC0PB8dD1aXjhuQFiAh7LnN5lOHTo.1>  
**Meeting ID:** 849 8493 1905    **Passcode:** 448511

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

Committee Members	Agenda Items
Jamie Fleckenstein, Chair  Brian Wicks, Vice Chair  Carlton Davidson  John Hall  Eva Reutinger	<ol style="list-style-type: none"> <li>1. <b>Call to Order and Roll Call</b></li> <li>2. <b>Minutes:</b> January 17, 2024 (<i>Exhibit 1</i>), and February 21, 2024 (<i>Exhibit 2</i>).</li> <li>3. <b>Citizen Comments</b></li> <li>4. <b>Action Items:</b> <ol style="list-style-type: none"> <li>A. <b>L 26-24:</b> Landscape Review Application, 1066 NE Alpine Avenue, Tax Lot R4421BA 01001 (<i>Exhibit 3</i>).</li> <li>B. <b>G 2-24:</b> Landscape Zoning Ordinance Amendments Workshop (<i>Exhibit 4</i>).</li> </ol> </li> <li>5. <b>Committee Member Comments</b></li> <li>6. <b>Staff Comments</b></li> <li>7. <b>Adjournment</b></li> </ol>

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

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



City of McMinnville  
Planning Department  
231 NE Fifth Street  
McMinnville, OR 97128  
(503) 434-7311  
[www.mcminnvilleoregon.gov](http://www.mcminnvilleoregon.gov)

# MINUTES

January 17, 2024  
Landscape Review Committee  
Special Meeting

12:00 pm  
ZOOM Meeting  
McMinnville, Oregon

**Members Present:** Jamie Fleckenstein, Brain Wicks, Eva Reutinger, Carlton Davidson, John Hall, and Jessica Payne - Council Liaison

**Members Absent:**

**Staff Present:** Tom Schauer – Senior Planner

**Guests Present:**

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## 1. Call to Order

Chair Fleckenstein called the meeting to order at 12:04 p.m.

## 2. Swearing in of New Committee Member

Senior Planner Schauer swore in new Committee Member Eva Reutinger and reappointed Committee Member Carlton Davidson.

## 3. Selection of Chair and Vice Chair

Jamie Fleckenstein was elected as Chair and Brian Wicks was elected as Vice Chair for 2024.

## 4. Approval of Minutes

- April 19, 2023
- May 17, 2023
- June 21, 2023

Committee Member Davidson moved to approve the April 19, May 17, and June 21, 2023, minutes as written. The motion was seconded by Chair Fleckenstein and passed unanimously.

## 5. Citizen Comments

None.

## 6. Action Item

- A. L 55-23: Landscape Plan Review, Best Western, 2035 & 2045 SW Hwy 99W, Tax Lot R4429BD 02700

Senior Planner Schauer discussed the landscape plan. There was a previous landscape plan for the west side of the site and the street trees would need to be replanted and there were bark covered areas with no plants. The east side was where the new landscape plan requirements would apply. That plan did not show what was proposed between the property line and sidewalk and there were McMinnville Water & Light facilities and a sanitary sewer easement that were not on the plan. There were landscape end islands and landscaping was distributed throughout the parking lot. A landscape end island should be included on the east side row of parking. He also recommended additional trees in the landscape islands. Along the south property line there should be a fence or landscaping, and the trash enclosure should be at a zero setback but was 10 feet from the property line and was being screened by a chain link fence with slats. Arborvitae was proposed to be planted around the trash enclosure.

There was discussion regarding what had been required for street trees and the bark areas previously, need for more information on the plan before making a decision, location of the trash enclosure, irrigation, lighting, and replacing plants that had died or were removed over the years.

There was consensus to move the trash enclosure to the north side of the motel. The landscape plan needed to be updated with symbols drawn to scale and showing mature heights and sizes, inclusion of a planting island on the north side of the parking stalls with plants and trees indicated, cherry trees from the 2010 plan incorporated into the new plan, defining the property line and easements in relation to the sidewalk along Hwy 99W, fixing the conflicts between the plant schedule and number of plants, trees on the frontage should be 2 inch caliper or larger, and clarification on the varieties.

Committee Member Fleckenstein moved to continue L 55-23. The motion was seconded by Committee Member Reutinger and passed unanimously.

## 7. Committee Member Comments

Committee Member Reutinger introduced herself.

## 8. Staff Comments

Senior Planner Schauer said two new planners had been hired and would start in February.

## 9. Adjournment

Chair Fleckenstein adjourned the meeting at 1 p.m.



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# MINUTES

February 21, 2024  
Landscape Review Committee  
Special Meeting

12:00 pm  
ZOOM Meeting  
McMinnville, Oregon

- Members Present:** Jamie Fleckenstein, Brain Wicks, Eva Reutinger, Carlton Davidson, John Hall, and Jessica Payne - Council Liaison
- Members Absent:**
- Staff Present:** Tom Schauer – Senior Planner, Taylor Graybehl – Senior Planner, and Matthew Deppe – Associate Planner
- Guests Present:** Joe Zody, Erik Winter, Kathy Schlotfeldt, Edwin Martinis, Trena Espie, and Erik Matthews

## 1. Call to Order

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

## 2. Approval of Minutes

- July 7, 2023
- August 16, 2023

Committee Member Davidson moved to approve the July 7 and August 16, 2023, minutes. The motion was seconded by Committee Member Wicks and passed unanimously.

## 3. Citizen Comments

None.

## 4. Action Item

- A. L 55-23: Landscape Plan Review, Best Western, 2035 & 2045 SW Hwy 99W, Tax Lot R4429BD02700

No new information had been received for this application.

Chair Fleckenstein moved to continue L 55-23. The motion was seconded by Committee Member Davidson and passed unanimously.

B. L 1-24: Landscape Plan Review, Shell Food Carts, 645 NW Adams Street, Tax Lot R4420AD00600

Senior Planner Schauer reviewed the landscape plan for a proposed food cart pod on NW Adams Street. He explained the existing site conditions, proposed site plan and landscape plan, and conditions. Staff recommended approval with conditions.

There was discussion regarding the site distance from the driveway, fencing and screening, surface material underneath the Maple tree in the northwest corner should be grass, purchase height of the Crape Myrtle, recommending a tree from the small tree list rather than Bowhall Maple due to the proximity of the overhead utilities, and the tree selection to be approved by the Chair.

Chair Fleckenstein moved to approve L 1-24 with conditions as revised to fill in below the current Bowhall Maple with fountain grass and to consider an alternate tree that would be appropriate under overhead utilities. The motion was seconded by Committee Member Hall and passed unanimously.

C. L 2-24: Landscape Plan Review, CI Chemicals Oregon, 2727 NE Orchard Avenue, Tax Lot R4415 02800

Senior Planner Graybehl presented the landscape plan for an industrial project on NE Orchard Avenue. He explained the subject site, street view, proposed landscape plan, and conditions. Staff recommended approval with conditions.

Joe Zody, representing the applicant, gave a brief overview of the company and what they did. They had expanded the front lawn area and put a lot of effort in the front of the facility. The circulation layout had been revised to preserve the existing trees. At the time of the plan McMinnville Water & Light had not determined the way they were going to service the property and that was why they didn't show where the power line was on the plan. They had decided the line would remain where it was and the applicant was willing to put in a smaller tree under the lines. The trash enclosure would be moved to the rear of the property and he requested no tree be required in the parking island on the north end due to having to run the irrigation to the rear of the property as well as trucks coming in and out of that area that might damage the tree. The rest of the conditions they would comply with. There was concern about the concrete pad for truck loading on the north end of the property that would be crossing the sanitary easement. He was going to talk to City staff about options.

There was discussion regarding the street trees under the overhead wires, spacing of the street trees to avoid power lines, relocating the tree in the parking island to the front of the property or making the parking island on the south end larger with a larger tree for screening and shading, and requirements for the rail spur in the back which would come back to the LRC at a later time.

Committee Member Wicks moved to approve L 2-24 with conditions as amended that in lieu of a tree in the north parking island, the applicant would enlarge the south parking island and select a tree from the large street tree list or comparable to be approved by the Chair. The motion was seconded by Committee Member Hall and passed unanimously.

D. D L 3-24: Landscape Plan Review, MV Advancements, 600 SE Baker Street, Tax Lot R4420DD 00101 and 00200

Senior Planner Schauer discussed the landscape plan for a new office building on SE Baker Street. He explained the subject site, site plan, landscape plan, and conditions.

Committee Member Reutinger left the meeting.

Kathy Schlotfeldt, applicant, spoke about the oak tree that had to be removed in 2023 and the trees that would be retained on the property.

Erik Winter, representing the applicant, asked for clarification on the screening requirement adjacent to the single family house on the northeast corner. They planned to create a vegetative hedge around the parking and eliminate the last parking stall instead of putting a fence at the property line due to the sensitive wetland area. Senior Planner Schauer thought that would be acceptable.

There was discussion regarding substituting the Barberry in the site distance vision triangle, street trees on Cows and 99W, screening of the house, plants in the parking islands, substituting the Zelkova due to its lack of longevity, and how the updated landscape plan would go to staff and LRC Chair for final approval.

Committee Member Davidson moved to approve L 3-24 with conditions as amended to substitute the Barberry near the intersection with a lower growth rate plant, screening with the evergreen hedge on the east side of the parking lot, changing the south side of the parking lot to mirror the north side for Phase 2, substituting a different street tree for the Zelkova, removing the references to the Oak tree that had been removed, and final approval by staff and the Chair. The motion was seconded by Committee Member Hall and passed 3-0-1 with Committee Member Wicks abstaining.

## **5. Committee Member Comments**

Committee Member Davidson suggested a work session on synthetic turf and another work session on requiring distribution of the landscaping all around the site instead of only a small area.

There was discussion regarding code compliance and need for code enforcement on some projects.

Committee Member Davidson said he had been attending the Third Street Improvement Project meetings. The Parks Department had put new trees in Chegwyn Park and he suggested these types of projects come to LRC for recommendations.

## **6. Staff Comments**

None

## **7. Adjournment**

Chair Fleckenstein adjourned the meeting at 1:49 p.m.

## **EXHIBIT 3 - STAFF REPORT**

**DATE:** September 11, 2024  
**TO:** Landscape Review Committee Members  
**FROM:** Taylor Graybehl, Senior Planner  
**SUBJECT:** Landscape Plan Review Application (L 26-24)

### **STRATEGIC PRIORITY & GOAL:**



### **GROWTH & DEVELOPMENT CHARACTER**

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

**OBJECTIVE/S:** Strategically plan for short and long-term growth and development that will create enduring value for the community

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### **Report in Brief:**

This proceeding is a review by the Landscape Review Committee of a Landscape Plan Review application for proposed landscaping on property located at 1066 NE Alpine Avenue, Tax Lot R4421BA 01001, within the C-3 (General Commercial) Zone. Staff has reviewed the application for consistency with the applicable criteria, and recommends approval of the application, subject to the conditions specified in the attached Decision Document.

### **Discussion:**

#### ***Subject Property and Plan***

Please refer to the Decision Document for vicinity maps, proposed plan, and background information.

#### ***Summary of Criteria & Issues***

Decisions and/or recommendations for approval of the land use application are dependent upon whether the application meets state regulations, the McMinnville Comprehensive Plan and the McMinnville Municipal Code (MMC). The application can either meet these criteria as proposed, or a condition of approval can be provided that either outlines what needs to occur to meet the criteria or when something needs to occur to meet the criteria.

#### ***McMinnville Municipal Code (MMC)***

As required in 17.57.070(B), the following factors shall be considered by the applicant when planning the landscaping in order to accomplish the purpose set out in Section 17.57.010. The Landscape Review Committee shall have the authority to deny an application for failure to comply with any or all of these conditions:

1. Compatibility with the proposed project and the surrounding and abutting properties and the uses occurring thereon.

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#### ***Attachments:***

Attachment A – Decision, Conditions, Findings of Fact and Conclusionary Findings For L 26-24

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.

The review also addresses landscaping and screening requirements of other applicable Chapters of the Zoning Ordinance and Northeast Gateway Overlay District (Ordinance No. 4971).

### **Attachments**

1. Decision Document with Attached Application

### **Landscape Review Committee Options**

1. **APPROVE** the application, per the decision document provided which includes the findings of fact and conditions of approval.
2. **APPROVE** the application with additional conditions of approval, providing findings of fact for the inclusion of additional conditions.
3. **CONTINUE** the application, requesting the applicant to submit more information or details for review.
4. **DENY** the application, providing findings of fact for the denial in the motion to deny.

### **Staff Recommendation:**

Staff has reviewed the application for consistency with the applicable criteria. Staff finds that, subject to the recommended conditions specified in the attached Decision Document, the application submitted by the applicant contains sufficient evidence to find the applicable criteria are satisfied.

Staff **RECOMMENDS APPROVAL** of the application, subject to the conditions specified in the attached Decision Document.

### **Suggested Motion:**

**BASED ON THE FINDINGS OF FACT, THE CONCLUSIONARY FINDINGS FOR APPROVAL, AND THE MATERIALS SUBMITTED BY THE APPLICANT, I MOVE THAT THE LANDSCAPE REVIEW COMMITTEE APPROVE THE DECISION DOCUMENT AND APPROVE THE LANDSCAPE PLAN REVIEW APPLICATION L 26-24 SUBJECT TO THE CONDITIONS SPECIFIED IN THE DECISION DOCUMENT**

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*Attachments:*

Attachment A – Decision, Conditions, Findings of Fact and Conclusionary Findings for L 26-24





**CITY OF MCMINNVILLE**  
**COMMUNITY DEVELOPMENT**  
231 NE FIFTH STREET  
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**DECISION, CONDITIONS, FINDINGS OF FACT AND CONCLUSIONARY FINDINGS FOR THE APPROVAL OF A LANDSCAPE PLAN REVIEW FOR PROPERTY AT 1066 NE ALPINE AVENUE**

- DOCKET:** L 26-24 (Landscape Plan Review)
- REQUEST:** Approval of a Landscape Plan Review for property at 1066 NE Alpine Avenue
- LOCATION:** 1066 NE Alpine Avenue, Tax Lot R4421BA 01001
- ZONING/Overlay:** C-3 (General Commercial), Northeast Gateway Planned Development Overlay (Ordinance No. 4971)
- APPLICANT:** Ducan Scovil, on behalf of Waechter Architecture
- STAFF:** Taylor Graybehl, Senior Planner
- DATE DEEMED COMPLETE:** August 16, 2024
- DECISION-MAKING BODY & ACTION:** McMinnville Landscape Review Committee makes a recommendation of approval or denial to the Planning Director.
- MEETING DATE & LOCATION:** September 11, 2024, McMinnville Community Development Center, 231 NE 5<sup>th</sup> Street, and via Zoom online meeting
- PROCEDURE:** Landscape plans are required to be reviewed and approved by the Landscape Review Committee as described in Section 17.57.050 (Plans-Submittal and review-Approval-Time limit for completion) of the McMinnville Zoning Ordinance.
- CRITERIA:** The applicable criteria are specified in Section 17.57.070 (Area Determination – Planning factors) of the McMinnville Zoning Ordinance, McMinnville City Code.
- APPEAL:** The decision may be appealed within 15 days of the date the decision is mailed as specified in Section 17.57.170 of the McMinnville Zoning Ordinance.
- COMMENTS:** This matter was referred to the following public agencies for comment: McMinnville Public Works, McMinnville Engineering, and McMinnville Water and Light. Their comments are provided in this document. No public notice of the application was required by the McMinnville Zoning Ordinance. No additional comments were received by the Planning Department.

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*Attachments:*

- Attachment 1 – Application and Attachments
- Attachment 2 – Revised Application and Attachments, received September 4, 2024
- Attachment 3 – McMinnville Engineering Division Comments

**DECISION**

Based on the findings and conclusionary findings, the Landscape Review Committee finds the applicable criteria are satisfied with conditions and recommends **APPROVAL** of the Landscape Plan (L 26-24) **subject to the conditions of approval provided in Section II of this document.**

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**DECISION: APPROVAL WITH CONDITIONS**  
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Planning Staff: \_\_\_\_\_ Date: \_\_\_\_\_  
Taylor Graybehl, Senior Planner

Planning Department: \_\_\_\_\_ Date: \_\_\_\_\_  
Heather Richards, Planning Director

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*Attachments :*  
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## **I. APPLICATION SUMMARY:**

### **Subject Property & Request**

The subject site is located at 1066 NE Alpine Avenue, Tax Lot R4421BA 01001. **See Figure 1 (Vicinity Map)**. The property is zoned G-3 (General Commercial) and is located in Zone 2 of the Northeast Gateway Planned Development Overlay (Ordinance No. 4971<sup>1</sup>) **See Figure 2 (Zoning Map)**.

The subject site is undeveloped with sparse ground cover. **See Figure 3 (Aerial Photo)**. Alpine Avenue's street frontage is fully improved with sidewalks, trees, planting areas, and street furniture.

The applicant has a separate application for Northeast Gateway Development Review (NEG 1-24) to place a new two-story hotel. On both applications (L 26-24 and NEG 1-24), the Applicant has indicated a southern property line will be adjusted as part of a property line adjustment between Tax Lots R4421BA 01000 and 01001. The indicated property line adjustment has not been submitted at the time of this report. Prior to final approval of the landscape plan, the applicant will be required to provide a final survey of the adjusted property line and a copy of the recorded deeds conveying ownership. Development of the site, including building height, form, façade, entrances, materials, parking, signage, and additional landscaping standards, will be reviewed under application NEG 1-24. All plans shall comply with the Landscape Plan approved by the Landscape Review Committee.

The applicant has indicated they will provide 840 square feet of landscaping, representing 16.7% of the existing site and 15.3% of the proposed site after the indicated property line adjustment. The landscape plan proposes a recessed planter box and public patio with permeable pavers, shrubbery, ground cover, and public bench seating along NE Alpine Avenue and courtyards interior to the site with permeable pavers, ground cover, shrubbery, and trees. **See Figure 5 (Landscape Plan)**.

Although not subject to review as part of this application, the applicant must comply with Section 10 – Landscaping of the Northeast Gateway District Plan (Plan). The Plan requires the direction of lighting away from property lines with building accent lighting directed and/or shielded to not result in skyward glare. In addition, off-site parking is proposed to be provided via a parking agreement with 1065 NE Alpine Avenue across Alpine Avenue. If improvements to the parking area identified within the parking agreement are required, such as striping, the parking area may be required to be improved to landscape standards detailed in Section 10(C) of the Plan. Future improvements may require additional review by the Landscape Review Committee.

Staff recommends approval of the landscape plan with revisions/conditions requiring the application's revision, recordation of the property line adjustment, lighting configuration, and continual maintenance to comply with City standards.

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<sup>1</sup><https://gis.ci.mcminnville.or.us/VirtualDirectories/ords/ord%204971.pdf>

**Attachments :**

Attachment 1 – Application and Attachments

Attachment 2 – Revised Application and Attachments, received September 4, 2024

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**Figure 1: Aerial Photo/Vicinity Map**

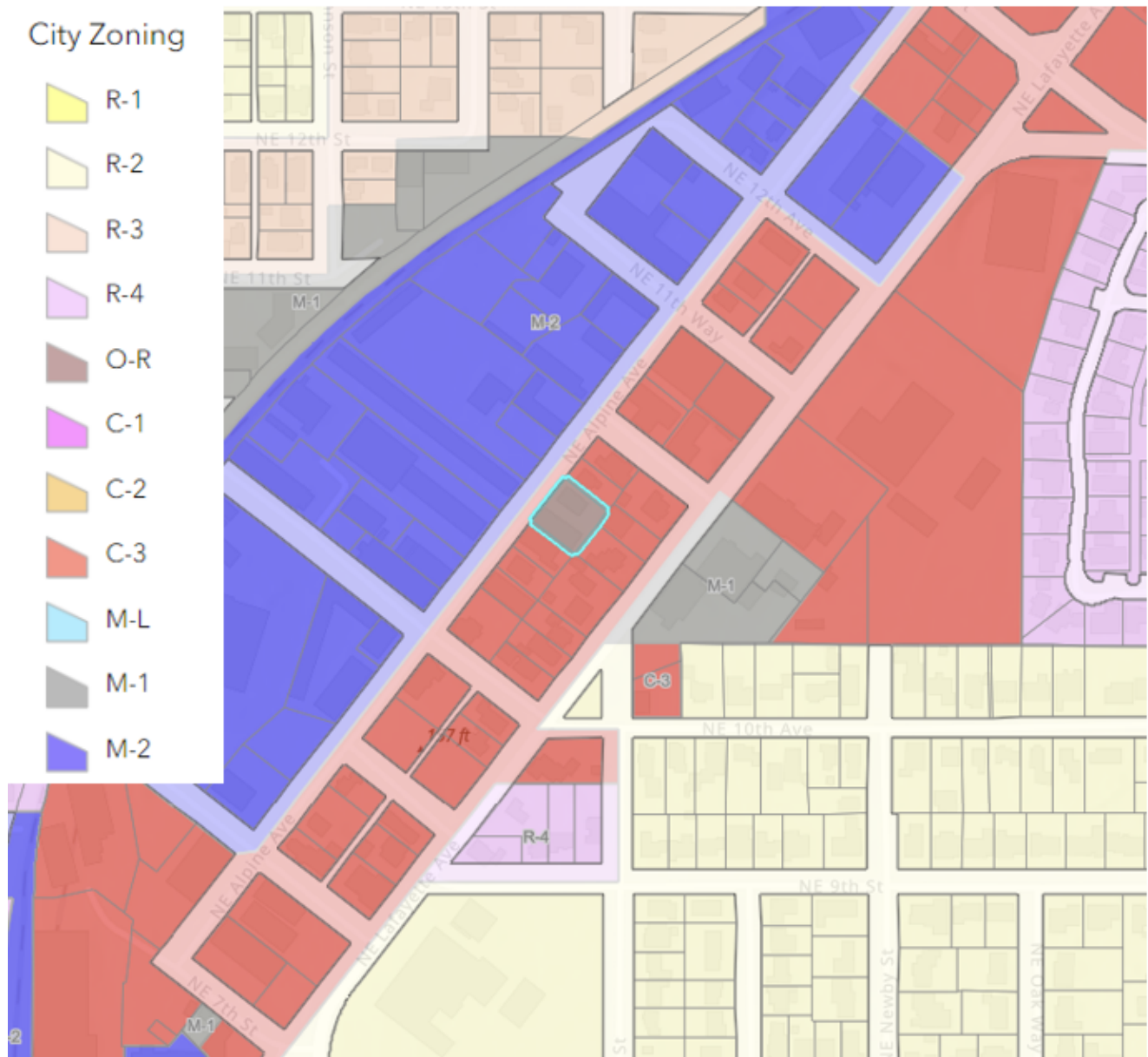


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Figure 2: Zoning Map



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**Figure 3: Aerial Photo**

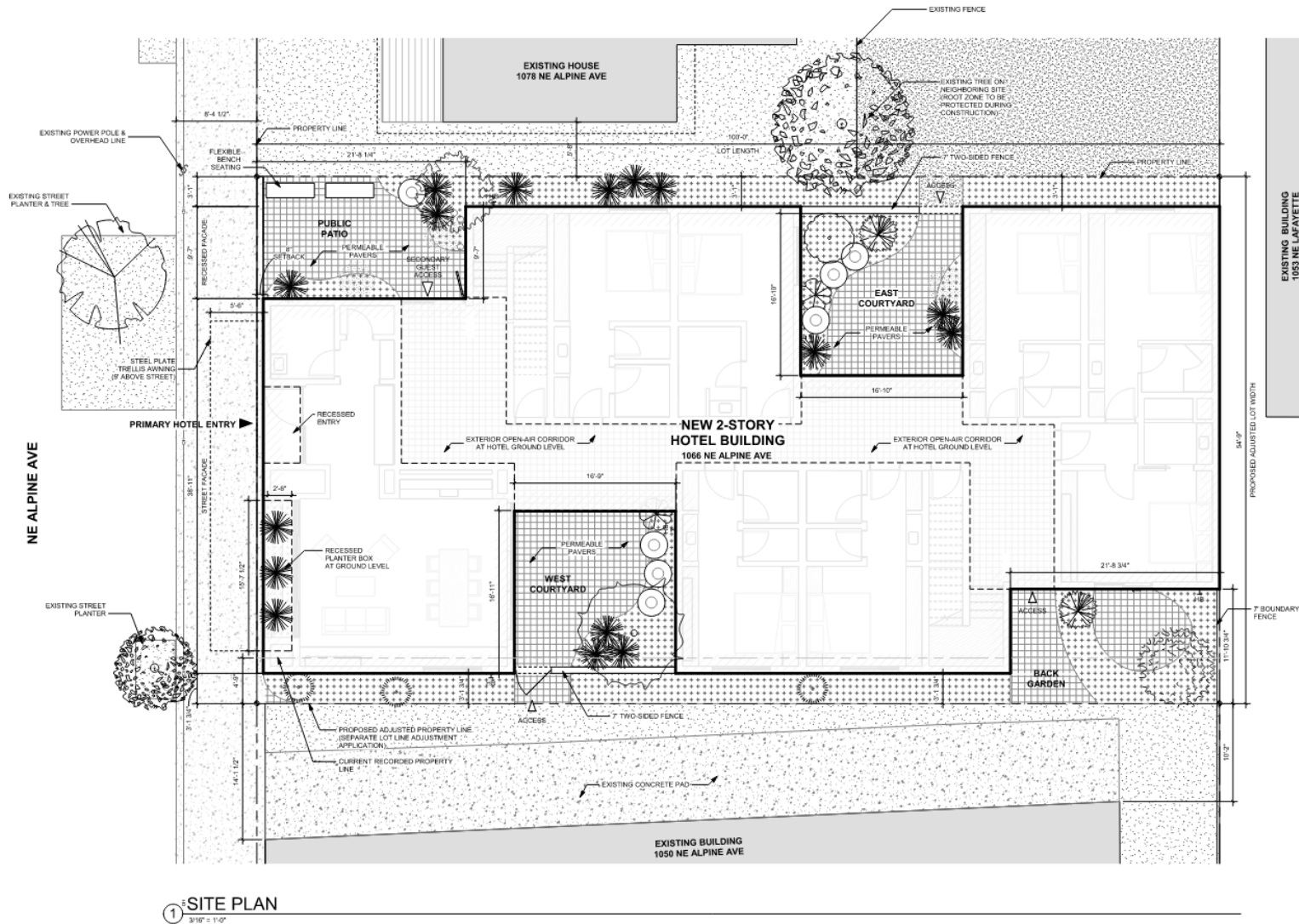


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Figure 4. Landscape Plan (cont.)




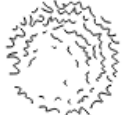







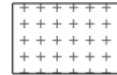
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Figure 4. Landscape Plan (cont.)

## LEGEND - LANDSCAPE PLAN

-  **STYRAX JAPONICUS "EVENING LIGHT"**  
#5, #7 OR #10
-  **MAHONIA X MEDIA "CHARITY"**  
#5 OR #7
-  **PHILADELPHUS LEWIS**  
#1 OR #5
-  **CEANOTHUS IMPRESSUS "VANDENBURG"**  
#1 OR #5
-  **PHYSOCARPUS OPULIFOLIUS "SUMMER WINE"**  
#1 OR #5
-  **POLYSTICHUM MUNITUM**  
#1 OR #5
-  **VITIS VINIFERA**  
#1 OR #5
-  **TRACHELOSPERMUM JASMINOIDES**  
#1
-  **ACTINIDIA KOLOMIKTA**  
#1



**PLANTING AREA MIX**

TO BE UNDERPLANTED WITH THE FOLLOWING PERENNIALS AND GROUNDCOVERS. THESE WILL BE PLACED BY DESIGNER AND PLANTED ON 12" TO 24" CENTERS, BASED ON SUN EXPOSURE AND MATURE PLANT SIZE. THESE PLANTS WILL FORM A "GREEN MULCH", HELPING TO CONSERVE WATER AND PREVENT WEEDS, LESSENING THE NEED FOR CHEMICAL HERBICIDES AND PESTICIDES. ALL PLANTS TO BE 4" OR #1:

- ACHILLIA MILLEFOLIUM
- CAREX OBNUPTA
- CAMASSIA QUAMASH
- DICENTRA FORMOSA 'AURORA'
- SIDALCEA CAMPESTRIS
- DESCHAMPSIA CAESPITOSA
- FESTUCA CALIFORNICA
- FESTUCA ROEMERI
- HEUCHERA 'OBSIDIAN'
- SANGUISORBA OFFICINALIS 'RED THUNDER'
- TELLIMA GRANDIFLORA
- SEDUM OREGANUM



**AMPHORA POTTERY**  
(SEE LANDSCAPE NOTE 07)



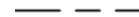
**PERMEABLE CONCRETE PAVER**  
(PATTERN & SCALE TBD)



**CONCRETE**



**HOSEBIB**  
(WATER ACCESS POINT)



**PROPERTY LINE**



**PROPERTY CORNER**

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**Figure 4. Landscape Plan (cont.)**

## LANDSCAPE NOTES

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- 01 PLANTS WILL BE WATERED BY HAND, UNTIL ESTABLISHED. AFTER WHICH, THEY WILL BE SET ON A SOAKER OR DRIP SYSTEM. SEE HOSEBIB/WATER ACCESS POINTS
- 02 PLANT LIST IS 75% NATIVE TO OUR ECOREGION. THIS WILL HELP WITH DROUGHT TOLERANCE, LESSEN THE NEED FOR CHEMICALS AND IS GREAT FOR OUR NATIVE POLLINATORS AND BIRDS
- 03 ALL SOIL IN PLANTING BEDS TO BE IMPROVED WITH COMPOST
- 04 ALL PLANTING BEDS TO BE COVERED IN 2" OF HEMLOCK MULCH, AFTER PLANTING
- 05 FRONT PLANTER BED, NEXT TO MAIN HOTEL ENTRANCE, WILL BE PLANTED WITH SEASONAL DISPLAYS
- 06 VINES TO GROW UP TRELLIS ON RECESSED FRONT FACADE
- 07 AMPHORA POTTERY, MADE BY LOCAL ARTISAN, WILL BE DISPLAYED THROUGHOUT THE PROPERTY. THEY ARE ALL UNIQUE AND SLIGHTLY DIFFERENT SIZES. SOME OF THESE WILL BE PLANTED WITH SEASONAL DISPLAYS

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### **Summary of Criteria**

Decisions and/or recommendations for approval of the land use application are dependent upon whether the application meets state regulations, the McMinnville Comprehensive Plan and the McMinnville Municipal Code (MMC). The application can either meet these criteria as proposed, or a condition of approval can be provided that either outlines what needs to occur to meet the criteria or when something needs to occur to meet the criteria.

The proposed development is on land zoned G-3 (General Commercial). McMinnville Municipal Code (MMC) Section 17.57.030 requires landscaping in the G-3 zone. Therefore, landscaping is required subject to the criteria and standards described in MMC Chapter 17.57-Landscaping.

### **II. CONDITIONS:**

1. Landscaping shall be maintained per standards established in Section 17.57.070(C). All landscaping approved through the Landscape Review Committee shall be continually maintained, including necessary watering, weeding, pruning, mowing, and replacement.
2. That prior to final occupancy, the applicant shall construct new driveways and sidewalks in the right-of-way that conform to "PROWAG" Design Guidelines. The standards can be found at the following webpage: <https://www.access-board.gov/files/prowag/PROW-SUP-SNPRM-2013.pdf>.
3. That street trees shall be protected per Section 17.58.075 of the Zoning Ordinance and prior to any removal or pruning of a street tree, the applicant shall apply for a permit.
4. Street tree(s) shall be continually maintained:
  - a. This includes necessary watering, weeding, pruning, and replacement.
  - b. Street tree(s) shall be pruned with at least:
    - i. Eight (8) feet of clearance above sidewalks and
    - ii. Thirteen (13) feet of clearance above Alpine Avenue.
  - c. A permit shall be obtained prior to the removal or major pruning (removal of 20 percent of the tree canopy, tree topping, or disturbance of 10 percent of the root system) of the tree(s). If the tree is to be removed, a replacement tree shall be of a species from the approved street tree list or street tree plan.
5. That prior to development, the applicant shall obtain Northeast Gateway District review approval, which reflects the approved landscape plan.
6. That the Applicant shall identify any proposed lighting of parking and landscaped areas and lighting of parking and landscaped areas shall be directed either into or on the site and away from property lines
7. That the Applicant shall identify any proposed building accent lighting and lighting shall be directed and/or shielded to place light on the intended target, and not result in skyward glare.
8. That the Applicant shall provide a revised application including the signature of all property owners, including 1050 NE Alpine Avenue.
9. That the Applicant shall provide a final survey of the adjusted property line and a copy of the recorded deeds conveying ownership.

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#### **Attachments :**

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10. Minor changes in the landscape plan are allowed, as determined by the Planning Director or their designee, as long as they do not alter the character and aesthetics of the original plan as defined in Section 17.58.050(E).
11. That the Applicant shall provide the City with an approved 1200C Permit from DEQ or provide the City with written documentation from DEQ that a 1200C permit is not required.
12. That if final approved civil plans conflict with previously approved landscape and irrigation plans, the landscape and irrigation plans will need to be revised to reflect the final civil design.
13. The applicant shall contact the appropriate utility-locate service (dial 811 or 800-332-2344) prior to any planting excavation to ensure that underground utilities are not damaged.
14. Landscaping shall be installed prior to final inspection for the building permit, or the applicant shall provide financial surety as specified in Section 17.58.050(D), and landscaping shall be completed no later than six (6) months from final inspection.
15. Signs are not reviewed as part of this application; the applicant shall submit a sign permit in compliance with Chapter 17.62 of the Zoning Ordinance and the NE Gateway Planned Development Overlay.

### **III. ATTACHMENTS:**

1. L 26-24 Application and Attachments (on file with the Planning Department)
2. Revised Application and Attachments, received September 4, 2024
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### **IV. COMMENTS:**

#### **Agency Comments**

This matter was referred to the following public agencies for comment: McMinnville Public Works, McMinnville Engineering, and McMinnville Water and Light.

Comments may still be received through September 11, 2024 and will be provided to the Committee before or at the meeting. The following comments were received:

City of McMinnville Public Works:

No comments received as of September 4, 2024

McMinnville Water and Light

No comments received as of September 4, 2024

McMinnville Engineering

- Provide the City with an approved 1200C Permit from DEQ or provide the City with written documentation from DEQ that a 1200C permit is not required.
- ADA Sidewalk and Driveway Standards are now being applied to all new construction and remodels. These standards are intended to meet the current ADA Standards as shown in the "PROWAG" Design Guidelines. The standards can be found at the following webpage: <https://www.access-board.gov/files/prowag/PROW-SUP-SNPRM-2013.pdf> prior to final

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occupancy, the applicant shall construct new driveways and sidewalks in the right-of way that conform to these standards.

- If final approved civil plans conflict with previously approved landscape and irrigation plans, the landscape and irrigation plans will need to be revised to reflect final civil design.

### **Public Comments**

No public notice of the application was provided by the City of McMinnville, as Landscape Plan Review applications are reviewed by the process described in Section 17.57.050 of the McMinnville Zoning Ordinance which does not require public notification. No public comments were received prior to the Planning Director's decision.

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

1. The application was submitted on August 16, 2024.
2. The application was submitted on August 16, 2024. Based on that date, the application is subject to a 30-day review timeframe. A revised application was received on September 4, 2024.
3. Notice of the application was referred to the following public agencies for comment on August 21, 2024 McMinnville Public Works, McMinnville Engineering, and McMinnville Water and Light. Comments received from public agencies are addressed in the Decision Document.
4. No public notice of the application was provided by the City of McMinnville, as Landscape Plan Review applications are reviewed by the process described in Section 17.57.050 of the McMinnville Zoning Ordinance, which does not require public notification. No public comments were received prior to the public meeting.
5. A public meeting was held by the Landscape Review Committee on September 11, 2024, to review the application and proposed landscape plan.

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

1. **Location:** 1066 NE Alpine Avenue, Tax Lot R4421BA 01001
2. **Size:** The lot is approximately 5,001 square feet.
3. **Comprehensive Plan Map Designation:** Commercial
4. **Zoning:** C-3 (General Commercial)
5. **Overlay Zones/Special Districts:** Northeast Gateway Overlay District (Ordinance No. 4971)
6. **Current Use:** Vacant
7. **Inventoried Significant Resources:**
  - a. **Historic Resources:** None
  - b. **Other:** None
8. **Other Features:** There are no identified significant or distinguishing natural features associated with this portion of the property.
9. **Utilities:** Utilities are available to the site.
10. **Transportation:** The property has frontage along NE Alpine Avenue. NE Alpine Avenue is a local street.

### **VII. CONCLUSIONARY FINDINGS:**

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The Conclusionary Findings are the findings regarding consistency with the applicable criteria for the application. The applicable planning factors for a Landscape Plan Review are specified in Section 17.57.070 of the Zoning Ordinance. The applicable standards for Street Trees are specified in Section 17.58.090 of the Zoning Ordinance

In addition, the goals, policies, and proposals in Volume II of the Comprehensive Plan are to be applied to all land use decisions as criteria for approval, denial, or modification of the proposed request. Goals and policies are mandated; all land use decisions must conform to the applicable goals and policies of Volume II. "Proposals" specified in Volume II are not mandated but are to be undertaken in relation to all applicable land use requests.

**Comprehensive Plan Volume II:**

The following Goals, Policies, and Proposals from Volume II of the Comprehensive Plan provide criteria applicable to this request:

The implementation of most goals, policies, and proposals as they apply to this application are accomplished through the provisions, procedures, and standards in the city codes and master plans, which are sufficient to adequately address applicable goals, policies, and proposals as they apply to this application.

The following additional findings are made relating to specific Goals and Policies:

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

*Policy 188.00: The City of McMinnville shall continue to provide opportunities for citizen involvement in all phases of the planning process. The opportunities will allow for review and comment by community residents and will be supplemented by the availability of information on planning requests and the provision of feedback mechanisms to evaluate decisions and keep citizens informed.*

**APPLICANT'S RESPONSE:** None.

**FINDING: SATISFIED.** McMinnville continues to provide opportunities for the public to review and obtain copies of the application materials and completed staff report prior to the McMinnville Landscape Review Committee review of the request and recommendation at an advertised public meeting. All members of the public have access to provide testimony and ask questions during the public review and hearing process.

**McMinnville Zoning Ordinance**

The following Sections of the McMinnville Zoning Ordinance provide criteria applicable to the request:

**Chapter 17.57. Landscaping**

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

*A. Provide guidelines and standards that will:*

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1. *Reduce soil erosion and the volume and rate of discharge of storm water runoff.*
  2. *Aid in energy conservation by shading structures from energy losses caused by weather and wind.*
  3. *Mitigate the loss of natural resources.*
  4. *Provide parking lot landscaping to reduce the harmful effects of heat, noise and glare associated with motor vehicle use.*
  5. *Create safe, attractively landscaped areas adjacent to public streets.*
  6. *Require the planting of street trees along the City's rights-of-way.*
  7. *Provide visual screens and buffers that mitigate the impact of conflicting land uses to preserve the appearance, character and value of existing neighborhoods.*
  8. *Provide shade, and seasonal color.*
  9. *Reduce glare, noise and heat.*
- B. Promote compatibility between land uses by reducing the visual noise and lighting impacts of specific developments on users of the site and abutting properties.*
- C. Unify development and enhance and define public and private places.*
- D. Preserve existing mature trees.*
- E. Enhance the urban forest and tree canopy.*
- F. Encourage the use of plants native to the Willamette Valley to the maximum extent feasible, in order to reduce watering requirements and agricultural chemical applications, and to provide a sense of regional identity with plant communities unique to the area.*
- G. Establish and enhance a pleasant visual character and structure to the built environment that is sensitive to safety and aesthetic issues.*
- H. Support McMinnville as a community that cares about its appearance.*

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

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

**APPLICANT'S RESPONSE:** None.

**FINDING: SATISFIED WITH CONDITIONS.** Subject to conditions of approval detailed below, the proposed landscape plan is consistent with the purpose of this chapter.

**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);*

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- 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).

**APPLICANT’S RESPONSE:** None.

**FINDING: SATISFIED/APPLICABLE.** The proposed development is within the G-3 (General Commercial) zone; therefore, landscaping is required subject to the criteria and standards described in Chapter 17.57 – Landscaping.

**17.57.070 Area Determination – Planning Factors.**

**17.57.070(A).** *Landscaping shall be accomplished within the following ranges:*

2. *Commercial, at least seven percent of the gross area. This may be reduced to not less than five percent upon approval of the review committee. (The gross area to be landscaped may only be reduced by the review committee if there is a showing by the applicant that the intent and purpose of this chapter and subsection B of this section are met.)*

**APPLICANT’S RESPONSE:** None.

**FINDING: SATISFIED.** The applicant has proposed 840 square feet of landscaping, representing 16.7% of the existing site and 15.3% of the proposed site after the indicated property line adjustment. The applicant has exceeded the minimum seven (7) percent requirement.

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

**17.57.070(B)(1).** *Compatibility with the proposed project and the surrounding and abutting properties and the uses occurring thereon.*

**APPLICANT’S RESPONSE:** None.

**FINDING: SATISFIED.** The subject site is zoned as C-3 (General Commercial), with sites zoned as M-2 (General Industrial) to the west across Alpine Avenue. Abutting the subject site, to north, east, and south properties are zoned C-3 (General Commercial) with a residential use located on the property abutting the subject site to the north. The Northeast Gateway Overlay District requires directing light away from property lines and building accent lighting to be directed and/or shielded to the intended target, not resulting in skyward glare. Lighting will be reviewed as part of the Northeast Gateway Development review. A three (3) foot wide planting area is proposed between the proposed building and residential use to the north, with a seven (7) foot fence enclosing a courtyard interior to the building line along the common property line. The plans indicate an access point paved to the property line to the north. The proposed landscaping will provide for compatibility with surrounding and abutting properties.

**17.57.070(B)(2).** *Screening the proposed use by sight-obscuring, evergreen plantings, shade trees, fences, or combinations of plantings and screens.*

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**APPLICANT'S RESPONSE:** None.

**FINDING: SATISFIED.** The C-3 (General Commercial) zone only requires screening when outside storage is abutting or facing a residential zone and the subject site does not abut or face a residential zone. The subject site does not have landscape screening requirements per Chapter 17.60 Off-Street Parking and Loading. The landscape plan complies with screening requirements.

**17.57.070(B)(3).** *The retention of existing trees and natural areas that may be incorporated in the development of the project. The existing grade should be preserved to the maximum practical degree. Existing trees shall be provided with a watering area equal to at least one-half the crown area.*

**APPLICANT'S RESPONSE:** None.

**FINDING: SATISFIED.** The subject site is not developed, is relatively flat, and contains ground cover with no other natural features. The applicant has indicated that a tree is located on the neighboring property to the north, and the root zone is to be protected during construction. No grading is reviewed or approved as part of this application.

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

**APPLICANT'S RESPONSE:** None.

**FINDING: SATISFIED.** The associated Northeast Gateway District Review (NEG 1-24) has identified shared parking on the neighboring property located across NE Alpine Avenue, 1065 NE Alpine Avenue. The parking area is currently improved.

**17.57.070(B)(5).** *The use of suitable street trees in the development of new subdivisions, shopping centers and like developments. Certain trees shall be prohibited in parking areas: poplar, willow, fruit, nut, birch, conifer, and ailanthus.*

**APPLICANT'S RESPONSE:** None.

**FINDING: SATISFIED.** NE Alpine Avenue is currently improved with street trees and no additional street trees are required.

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

**APPLICANT'S RESPONSE:** Plants will be watered by hand, until established, after which, they will be set on a soaker or drip system. See hosebib/water access points.

**FINDING: SATISFIED.** The landscape plans detail the property's proposed water facilities and irrigation system. Hosebib/water access points are proposed in each courtyard, with one hosebib/water access point on each side yard outside the courtyards. No soaker or drip systems are shown on the plans.

**17.57.070(C)** *All landscaping approved through the Landscape Review Committee shall be continually maintained, including necessary watering, weeding, pruning, mowing, and replacement.*

**APPLICANT'S RESPONSE:** None.

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**FINDING: SATISFIED WITH CONDITION OF APPROVAL #1.** This is a requirement of the Zoning Ordinance and has also been incorporated as a condition of approval.

**CONDITION FOR FINDING:** Landscaping shall be maintained per standards established in Section 17.57.070(C). All landscaping approved through the Landscape Review Committee shall be continually maintained, including necessary watering, weeding, pruning, mowing, and replacement.

### **Chapter 17.58. Trees**

**17.58.010 Purpose.** *The purpose of this ordinance is to establish and maintain the maximum amount of tree cover on public and private lands in the city; reduce costs for energy, stormwater management, and erosion control; provide tree-lined streets throughout the city; select, situate and maintain trees appropriately to minimize hazard, nuisance, damage, and maintenance costs; to enhance the appearance, beauty and charm of the City; to increase property values and build stronger ties within neighborhoods; to implement applicable adopted Downtown Improvement Plan provisions; to promote a diverse, healthy, and sustainable community forest; and to educate the public regarding community forest issues.*

**APPLICANT’S RESPONSE:** None.

**FINDING: SATISFIED.** NE Alpine Avenue is currently improved with street trees and meets the purpose of this Chapter.

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

**APPLICANT’S RESPONSE:** None.

**FINDING: FINDING: SATISFIED.** NE Alpine Avenue is currently improved with street trees and meets the purpose of this Chapter.

### **17.58.090 Street Tree Standards.**

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

**APPLICANT’S RESPONSE:** None.

**FINDING: FINDING: SATISFIED.** NE Alpine Avenue is currently improved with street trees and meets the purpose of this Chapter.

**17.58.090(B).** *Street trees shall be a minimum of two (2) inches in caliper measured at six (6) inches above ground level. All trees shall be healthy grown nursery stock with a single straight trunk, a well-developed leader with tops and roots characteristic of the species cultivar or variety. All trees must be free of insects, diseases, mechanical injury, and other objectionable features when planted.*

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**APPLICANT’S RESPONSE:** None.

**FINDING: NOT APPLICABLE.** NE Alpine Avenue currently complies with street tree standards. No street trees are required to be planted as part of this application. This standard does not apply.

**17.58.090(C).** *Small or narrow stature trees (under 25 feet tall and less than 16 feet wide branching) should be spaced no greater than 20 feet apart; medium sized trees (25 feet to 40 feet tall, 16 feet to 35 feet wide branching) should be spaced no greater than 30 feet apart; and large trees (over 40 feet tall and more than 35 feet wide branching) should be spaced no greater than 40 feet apart. Within residential developments, street trees should be evenly spaced, with variations to the spacing permitted as approved by the City for specific site limitations and safety purposes. [...]*

**APPLICANT’S RESPONSE:** None.

**FINDING: NOT APPLICABLE.** NE Alpine Avenue currently complies with street tree standards. No street trees are required to be planted as part of this application. This standard does not apply.

**17.58.090(D).** *When located adjacent to a local residential street or minor collector street, street trees shall be planted within a curbside landscape strip measuring a minimum of three (3) feet in width. Street trees adjacent to major collector streets or arterial streets shall be placed a minimum of four (4) feet from the back edge of the sidewalk. In no case shall a tree be planted closer than two and one-half (2 1/2) feet from the face of a curb.*

**APPLICANT’S RESPONSE:** None.

**FINDING: NOT APPLICABLE.** NE Alpine Avenue currently complies with street tree standards. No street trees are required to be planted as part of this application. This standard does not apply.

**17.58.090(E).** *Street trees shall not be planted within ten (10) feet of fire hydrants, utility poles, sanitary sewer, storm sewer or water lines, or within twenty (20) feet of street light standards or street intersections, or within five (5) feet of a private driveway or alley. New utility poles shall not be located within five (5) feet of an existing street tree. Variations to these distances may be granted by the Public Works Director and as may be required to ensure adequate clear vision.*

**APPLICANT’S RESPONSE:** None.

**FINDING: NOT APPLICABLE.** NE Alpine Avenue currently complies with street tree standards. No street trees are required to be planted as part of this application. This standard does not apply.

**17.58.090(F).** *Existing street trees shall be retained unless approved by the Planning Director for removal during site development or in conjunction with a street construction project. Sidewalks of variable width and elevation may be utilized as approved by the Planning Director to save existing street trees. Any street tree removed through demolition or construction within the street right-of-way, or as approved by the City, shall be replaced within the street right-of-way at a location approved by the city with a tree, or trees, of similar value. As an alternative the property owner may be required to pay to the City an amount sufficient to fund the planting and establishment by the city of a tree of similar value.*

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*The value of the existing street tree to be removed shall be calculated using the methods set forth in the edition then in effect of the “Guide for Plant Appraisal” published by the International Society of Arboriculture Council of Tree Landscape Appraisers. The developer or applicant shall be responsible for the cost of the planting, maintenance and establishment of the replacement tree.*

**FINDING: FINDING: SATISFIED WITH CONDITION OF APPROVAL #3.** No street trees have been identified for removal. The proposed development will be required to improve NE Alpine Avenue by constructing new driveways and sidewalks in the right-of-way. Street trees are to be protected per Section 17.58.075 of the Zoning Ordinance. No street trees are to be removed, destroyed, broken or injured without a street tree removal permit application.

**CONDITION FOR FINDING:** That street trees shall be protected per Section 17.58.075 of the Zoning Ordinance and prior to any removal or major pruning of a street tree, the applicant shall apply for a permit.

**17.58.100 Street Tree Planting**

**B. Commercial, Industrial, Multi-dwelling, Parking Lot Development.**

*1. Planting Schedule: Street trees required of a commercial, industrial, multi-dwelling, or parking lot development shall be installed at the time all other required landscaping is installed.*

**APPLICANT’S RESPONSE:** None.

**FINDING: NOT APPLICABLE.** NE Alpine Avenue currently complies with street tree standards. No street trees are required to be planted as part of this application. This standard does not apply.

**17.58.120 Street Tree Maintenance.**

- A. Street trees shall be continually maintained, including necessary watering, weeding, pruning and replacement, by the developer or property owner for one full growing season following planting, or as may be required by the City.*
- B. Street tree plans, or landscape plans including street trees, shall be maintained in perpetuity. In the event that a street tree must be replaced, the adjacent property owner or developer shall plant a replacement tree of a species from the approved street tree or landscape plan.*
- C. Maintenance of street trees, other than those located in the Downtown Tree Zone shall be the continuing obligation of the abutting property owner. The City shall undertake regular maintenance of street trees within the Downtown Tree Zone in accordance with appropriate horticultural practices including pruning and fertilizing to properly maintain the health of such trees.*
- D. Street trees, as they grow, shall be pruned to provide at least eight (8) feet of clearance above sidewalks and thirteen (13) feet above local streets, fifteen (15) feet above collector streets, and eighteen (18) feet above arterial streets. This provision may be waived in the case of newly planted trees so long as they do not interfere with public travel, sight distances, or endanger public safety as determined by the City. Major pruning, as defined in Section 17.58.020, of a street tree must be approved by the City in accordance with Section 17.58.040.*

**APPLICANT’S RESPONSE:** None.

**FINDING: SATISFIED WITH CONDITION OF APPROVAL #4.** This is an applicable code requirement. In addition, a condition of approval has been included to ensure that the street trees are continually maintained, including necessary watering, weeding, pruning, and replacement,

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by the developer or property owner for one full growing season following planting. Maintenance of the street trees shall be the continuing obligation of the abutting property owner.

**CONDITION FOR FINDING:** Street tree(s) shall be continually maintained by the adjacent property owners or developer:

- a. This includes necessary watering, weeding, pruning, and replacement.
- b. Street tree(s) shall be pruned with at least:
  - i. Eight (8) feet of clearance above sidewalks and
  - ii. Thirteen (13) feet of clearance above Alpine Avenue.
- c. A permit shall be obtained prior to the removal or major pruning (removal of 20 percent of the tree canopy, tree topping, or disturbance of 10 percent of the root system) of the tree(s). If the tree is to be removed, a replacement tree shall be of a species from the approved street tree list or street tree plan.

### **Chapter 17.60. Off-Street Parking and Loading**

**17.60.030 Plans Required.** A plan drawn to scale, indicating how the off-street parking and loading requirements are to be fulfilled, shall accompany an application for a building permit.

**APPLICANT’S RESPONSE:** None.

**FINDING: SATISFIED WITH CONDITIONS OF APPROVAL #5 AND #6.** The submitted landscape plan does not show the location of off-street parking. As the subject site falls within the Northeast Gateway District Planned Development Overlay, discrete parking requirements apply, including the required spaces and landscaping. As part of the associated Northeast Gateway District Review (NEG 1-24), the Applicant has proposed to enter into a parking agreement with the property across NE Alpine Avenue, located at 1065 NE Alpine, to provide off-street parking. The area identified for parking is currently improved. Additional review of the parking area will be conducted during the Northeast Gateway District Review, any required changes to comply with landscape standards shall comply with the standards of this Chapter and the Northeast Gateway District Planned Development Overlay.

#### **CONDITIONS FOR FINDING:**

**CONDITION OF APPROVAL #5:** That prior to development, the applicant shall obtain Northeast Gateway District review approval, which reflects the approved landscape plan.

**CONDITION OF APPROVAL #6:** Minor changes in the landscape plan are allowed, as determined by the Planning Director or their designee, as long as they do not alter the character and aesthetics of the original plan as defined in Section 17.58.050(E).

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

#### **17.61.030. Guidelines and Standards.**

- A. *The location of an enclosure must allow for collection agency drive-in access. A fifty-foot (50) access approach is recommended. In addition to the approach, either an exit that allows the truck to move forward or a turn area with a minimum radius of 46.5 feet is preferred. Both approach and location shall be unobstructed and free of overhead wires and low hanging trees. An eighteen-foot (18) minimum height clearance above the enclosure approach is required and a thirty-two-foot (32) vertical clearance is required above the container itself. The enclosure shall be of sufficient size to store trash and recycling receptacles, the size of which shall be determined by the collection agency*

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and will be based on proposed use. A minimum distance of two feet (2) is required between the container and existing or proposed structures. The enclosure shall be a minimum of six feet (6) tall or six inches (6) higher than the top of the tallest container.

- B. Solid waste enclosures shall not be located within twenty feet (20) of a required front or exterior yard and should be placed at the rear of a building whenever possible. Should an enclosure be placed within a required landscaped front or exterior yard, additional landscaping must be provided elsewhere on the property to compensate for the encroachment into the required landscaped yard. Any modifications to required landscaping must meet the approval of the Landscape Review Committee.
- C. Any trash or recycling enclosure which is visible from the street must provide landscaping around three (3) sides of the structure. Climbing vines and screening shrubs or hedges are appropriate, and landscaping must be a minimum of three feet (3) in height at the time of planting.
- D. Where a commercial or industrial zone abuts a residential zone, enclosures must be placed a minimum of thirty feet (30) from any residential structure or as otherwise approved by the Planning Director.
- E. Generally, the design of the structure should match the exterior surface of the building and can be constructed of masonry, wood or concrete blocks in combination with plant material capable of forming a complete evergreen hedge. The floor of the enclosure shall be a concrete holding pad which must extend eight feet (8) beyond the gates.
- F. Gates that screen the containers are required and must remain closed at all times except at times of service.
- G. Parking is prohibited in front of the enclosure and all parked vehicles must be located at a safe distance. A "No Parking" sign must be visibly placed on the gates of the enclosure.
- H. Solid waste and recycling enclosures must be placed in a location that is compatible with the City of McMinnville's Fire Code.

**APPLICANT'S RESPONSE:** Please see applicant's plans and plan notes.

**FINDING: NOT APPLICABLE.** The applicant's plan does not indicate the location or design of a solid waste or recycling enclosure. Including the location or design of enclosures on landscape plans is not required. However, they are still subject to standards and will be reviewed at the time of building permit application. If the proposed location of enclosures requires landscaping or impact landscaping, the item may be required to be brought before the Landscape Review Committee.

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

**Section 3 - Applicability of NE Gateway PDO.** The provisions within the NE Gateway Planned Development Ordinance apply to an approximately 75-acre area located generally south of 14th Street, east of the Portland and Western Railroad, north of 3rd Street, and west of Logan Street and Lafayette Avenue, and as depicted in Exhibit A. The affected area is further divided into three zones (refer to map, Exhibit B), described as follows:

[...]

- B. Zone 2 is bordered by 5th Street to the south, the railroad track to the west, 12th Avenue to the north, and Johnson Street/Lafayette Avenue to the east. This zone is considered the "heart" of the area and includes a significant employer (RB Rubber) and the Granary District, which has undergone much change in recent years and is currently enjoying success as a mixed-use area. Zone 2 also includes most of Alpine Avenue along which exist a large number of undeveloped and underdeveloped employment neighborhood with an authentic live-work environment and visitor-

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**Attachments :**

- Attachment 1 – Application and Attachments
- Attachment 2 – Revised Application and Attachments, received September 4, 2024
- Attachment 3 – McMinnville Engineering Division Comments

*oriented industries. There will be a strong focus on pedestrian activity, street design, the built environment, and connectivity to adjacent neighborhoods.*

**APPLICANT’S RESPONSE:** Please see applicant’s plans and plan notes.

**FINDING: APPLICABLE.** The subject site falls within Zone 2 of the NE Gateway PDO and development is subject to those standards found within Ordinance No. 4971.

D. *The regulations contained in this ordinance apply to all new development within the area subject to this ordinance including the following:*

1. *New construction.*

**APPLICANT’S RESPONSE:** Please see applicant’s plans and plan notes.

**FINDING: STATISFIED WITH CONDITION OF APPROVAL #5.** The project proposes new development subject to those standards found within Ordinance No. 4971. The Applicant has applied for a Northeast Development Plan review, which is currently under review for completeness.

**CONDITION FOR FINDING:** That prior to development, the applicant shall obtain Northeast Gateway District review approval, which reflects the approved landscape plan.

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

**All Zones:**

- A. *Landscaping shall be provided between the public street right-of-way and the front building line, exclusive of pedestrian walk-ways, patios, plazas, and similar facilities. Such landscaping shall be designed to provide interest to pedestrians and shall be maintained at a height no more than three (3) feet so that it is not site obscuring.*
- B. *Off-street parking located behind the building but visible from the public right-of-way shall be screened through the provision of a continuous row of shrubs, or a fence or seating wall, not less than three feet and no more than four feet high.*
- C. *Off-street parking areas with 10 (ten) or more parking spaces shall have, at a minimum, internal landscaping designed to visually break up a paved parking area as follows:*
  - 1. *Landscaped islands and peninsulas shall be evenly distributed throughout all parking areas and separated no more than 60 feet from another. Such islands shall be provided with raised curbs, be a minimum of five feet in width, and shall each contain at least one deciduous tree. To achieve the maximum canopy coverage, all trees shall be non columnar.*
- D. *Lighting of parking and landscaped areas shall be directed either into or on the site and away from property lines. Building accent lighting shall be directed and/or shielded to place light on the intended target, and not result in skyward glare.*

**APPLICANT’S RESPONSE:** Please see applicant’s plans and plan notes.

**FINDING: SATISFIED WITH CONDITIONS OF APPROVAL #7 & #8.** The project proposes to place the new hotel building at the front property line, establishing the front building line on the property line. Landscaping is proposed between a portion of the front façade in a recessed planter box with a public patio along the northern portion of the NE Alpine Avenue frontage. Off-street parking is proposed on a separate site through a parking agreement under review as part of the

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Northeast Gateway District Review application (NEG 1-24). Lighting has not been indicated on the provided landscape plan and will be required to meet the above standards.

**CONDITIONS FOR FINDING:**

**CONDITION OF APPROVAL #7:** That the Applicant shall identify any proposed lighting of parking and landscaped areas and lighting of parking and landscaped areas shall be directed either into or on the site and away from property lines

**CONDITION OF APPROVAL #8:** That the Applicant shall identify any proposed building accent lighting and lighting shall be directed and/or shielded to place light on the intended target, and not result in skyward glare.

TG

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**Attachments :**

Attachment 1 – Application and Attachments

Attachment 2 – Revised Application and Attachments, received September 4, 2024

Attachment 3 – McMinnville Engineering Division Comments



Planning Department
231 NE Fifth Street o McMinnville, OR 97128
(503) 434-7311 Office o (503) 474-4955 Fax
www.mcminnvilleoregon.gov

Office Use Only:
File No. L 26-24
Date Received 8/16/2024
Fee \$2,055.00
Receipt No. 210314
Received by AW

569-24-000180-PLNG

Landscape Plan Review Application

Applicant Information

Applicant is: [ ] Property Owner [ ] Contract Buyer [ ] Option Holder [ ] Agent [x] Other Project Architect

Applicant Name Waechter Architecture Phone 503-894-9480
Contact Name Duncan Scovil Phone 503-300-4401
Address 4224 N Mississippi Ave, Suite 201
City, State, Zip Portland, OR 97217
Contact Email duncan@waechterarchitecture.com

Property Owner Information

Property Owner Name Timothy Wade Phone 206-650-8025
Contact Name (same as above) Phone (same as above)
Address 1450 NW Michelbook Lane
City, State, Zip McMinnville, OR 97128
Contact Email timwikoff@gmail.com

Site Location and Description

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

Property Address 1050 NE Alpine Ave
Assessor Map No. R4 421BA -1000 - Total Site Area Current: 5000sf Proposed\*: 5474sf
Subdivision OAK PARK ADDITION Block 6 Lot 9
Comprehensive Plan Designation Commercial Zoning Designation C-3

\* Concurrent with this landscape plan review, the project is also applying separately for a 4'9" lot line adjustment to the South property line. For all landscaped area calculations, the project uses the proposed area.



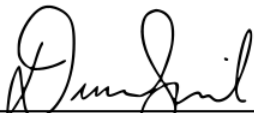
**Landscaping Information**

- 1. Total Landscaped Area: 840sf
- 2. Percent Landscaped: 10.9%
- 3. Building Floor Area:  
New Structure: 7698sf Existing Structure: n/a Addition: n/a
- 4. Architect Name Carly Baughman (Landscape Designer) Phone 971-237-4699  
*(Landscape Architect; Engineer; or Other Designer)*  
Contact Name (same as above) Phone \_\_\_\_\_  
Address 714 NE Cows Street  
City, State, Zip McMinnville, OR 97128  
Contact Email carlysgreengarden@gmail.com

In addition to this completed application, the applicant must provide the following:

- Two (2) copies of the proposed landscape plan containing the information listed in the information sheet and Chapter 17.57 (Landscaping) of the Zoning Ordinance.*
- Payment of the applicable review fee, which can be found on the Planning Department web page.*

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

  
\_\_\_\_\_  
Applicant's Signature

8-14-24  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Property Owner's Signature

August 14, 2024  
\_\_\_\_\_  
Date

### LANDSCAPE NOTES

- 01 PLANTS WILL BE WATERED BY HAND, UNTIL ESTABLISHED, AFTER WHICH, THEY WILL BE SET ON A SOAKER OR DRIP SYSTEM. SEE HOSEBIB/WATER ACCESS POINTS
- 02 PLANT LIST IS 75% NATIVE TO OUR ECOREGION. THIS WILL HELP WITH DROUGHT TOLERANCE, LESSEN THE NEED FOR CHEMICALS AND IS GREAT FOR OUR NATIVE POLLINATORS AND BIRDS
- 03 ALL SOIL IN PLANTING BEDS TO BE IMPROVED WITH COMPOST
- 04 ALL PLANTING BEDS TO BE COVERED IN 2" OF HEMLOCK MULCH, AFTER PLANTING
- 05 FRONT PLANTER BED, NEXT TO MAIN HOTEL ENTRANCE, WILL BE PLANTED WITH SEASONAL DISPLAYS
- 06 VINES TO GROW UP TRELLIS ON RECESSED FRONT FACADE
- 07 AMPHORA POTTERY, MADE BY LOCAL ARTISAN, WILL BE DISPLAYED THROUGHOUT THE PROPERTY. THEY ARE ALL UNIQUE AND SLIGHTLY DIFFERENT SIZES. SOME OF THESE WILL BE PLANTED WITH SEASONAL DISPLAYS

### LEGEND - LANDSCAPE PLAN

- STYRAX JAPONICUS "EVENING LIGHT" #5, #7 OR #10
- MAHONIA X MEDIA "CHARITY" #5 OR #7
- PHILADELPHUS LEWISII #1 OR #5
- CEANOTHUS IMPRESSUS "VANDENBURG" #1 OR #5
- PHYSOCARPUS OPULIFOLIUS "SUMMER WINE" #1 OR #5
- POLYSTICHUM MUNITUM #1 OR #5
- VITIS VINIFERA #1 OR #5
- TRACHELOSPERMUM JASMINOIDES #1
- ACTINIDIA KOLOMIKTA #1

### PLANTING AREA MIX

TO BE UNDERPLANTED WITH THE FOLLOWING PERENNIALS AND GROUNDCOVERS. THESE WILL BE PLACED BY DESIGNER AND PLANTED ON 12" TO 24" CENTERS, BASED ON SUN EXPOSURE AND MATURE PLANT SIZE. THESE PLANTS WILL FORM A "GREEN MULCH", HELPING TO CONSERVE WATER AND PREVENT WEEDS, LESSENING THE NEED FOR CHEMICAL HERBICIDES AND PESTICIDES. ALL PLANTS TO BE 4" OR #1:

- ACHILLIA MILLEFOLIUM
- CAREX OBNUPTA
- CAMASSIA QUAMASH
- DICENTRA FORMOSA 'AURORA'
- SIDALCEA CAMPESTRIS
- DESCHAMPSIA CAESPITOSA
- FESTUCA CALIFORNICA
- FESTUCA ROEMERI
- HEUCHERA 'OBSIDIAN'
- SANGUISORBA OFFICINALIS 'RED THUNDER'
- TELLIMA GRANDIFLORA
- SEDUM OREGANUM

- AMPHORA POTTERY (SEE LANDSCAPE NOTE 07)
- PERMEABLE CONCRETE PAVER (PATTERN & SCALE TBD)
- CONCRETE
- HOSEBIB (WATER ACCESS POINT)
- PROPERTY LINE
- PROPERTY CORNER

### LANDSCAPE DESIGN:

### CARLY BAUGHMAN

GREEN GARDEN CONCEPTS, LLC  
LICENSE #100523  
714 COWLES STREET  
MCMINNVILLE, OR 97128  
971-237-4699  
carlysgreengarden@gmail.com

WA PROJ. NO. PROJ. #2023-120

### Piquette

PROJECT ADDRESS  
1050 NE Alpine Ave  
McMinnville, OR 97218

### REVISIONS

NO.	DATE	DESCRIPTION

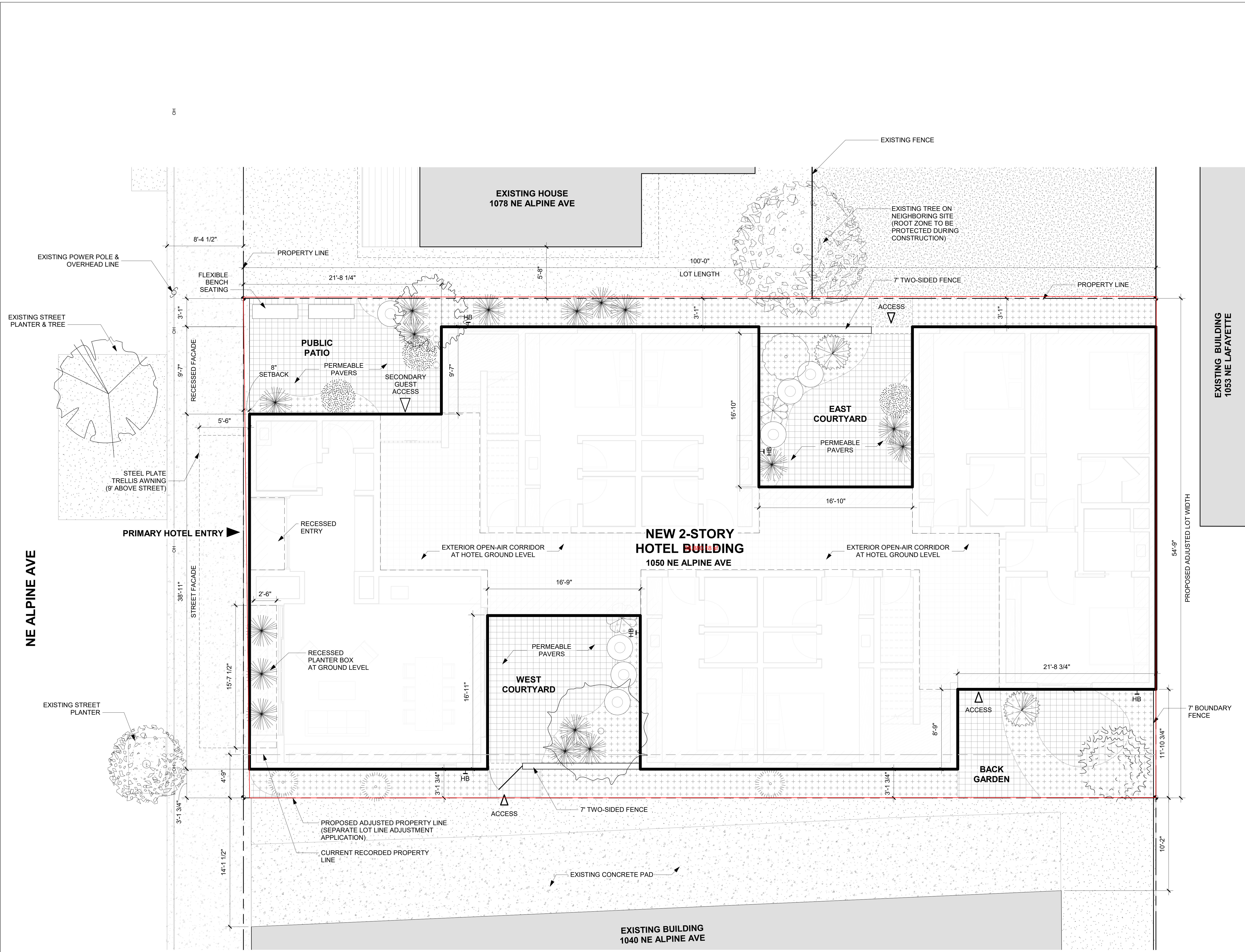
### LANDSCAPE PLAN REVIEW

8/16/24

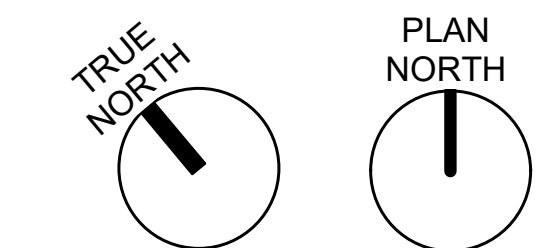
### LANDSCAPE SITE PLAN

SHEET NUMBER

# LU-101



1 SITE PLAN  
3/16" = 1'-0"





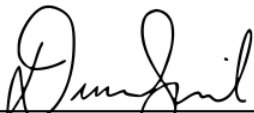
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- 4. Architect Name Carly Baughman (Landscape Designer) Phone 971-237-4699  
*(Landscape Architect; Engineer; or Other Designer)*  
Contact Name (same as above) Phone \_\_\_\_\_  
Address 714 NE Cows Street  
City, State, Zip McMinnville, OR 97128  
Contact Email carlysgreengarden@gmail.com

In addition to this completed application, the applicant must provide the following:

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- Payment of the applicable review fee, which can be found on the Planning Department web page.*

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

  
\_\_\_\_\_  
Applicant's Signature

8-14-24  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Property Owner's Signature

August 14, 2024  
\_\_\_\_\_  
Date





# City of McMinnville

## ENGINEERING

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### M E M O R A N D U M

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**DATE:** September 4, 2024

**TO:** Heather Richards, Planning Director  
Taylor Graybehl, Senior Planner

**FROM:** Matt Bernards, Engineering Technician

**SUBJECT:** L 26-24 (Piquette Hotel)

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#### Suggested Conditions of Approval

- Provide the City with an approved 1200C Permit from DEQ or provide the City with written documentation from DEQ that a 1200C permit is not required.
- ADA Sidewalk and Driveway Standards are now being applied to all new construction and remodels. These standards are intended to meet the current ADA Standards as shown in the "PROWAG" Design Guidelines. The standards can be found at the following webpage: <https://www.access-board.gov/files/prowag/PROW-SUP-SNPRM-2013.pdf> prior to final occupancy, the applicant shall construct new driveways and sidewalks in the right-of way that conform to these standards.
- If final approved civil plans conflict with previously approved landscape and irrigation plans, the landscape and irrigation plans will need to be revised to reflect final civil design.



CITY of McMinnville  
Community Development  
231 NE Fifth Street  
McMinnville, OR 97128  
(503) 434-7311  
[www.mcminnvilleoregon.gov](http://www.mcminnvilleoregon.gov)

# EXHIBIT 4 - STAFF REPORT

**DATE:** September 11, 2024  
**TO:** Landscape Review Committee Members  
**FROM:** Taylor Graybehl, Senior Planner  
**SUBJECT:** Work Session for G 2-24 Landscape Zoning Ordinance Amendments

## STRATEGIC PRIORITY & GOAL:



### GROWTH & DEVELOPMENT CHARACTER

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

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

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### Report in Brief:

This agenda item is a workshop to consider amendments to the Zoning Ordinance regarding the provisions for landscape plans and landscaping in Chapter 17.57 of the Zoning. Following review by the Landscape Review Committee (LRC), the item will be brought to the Planning Commission (PC) at a workshop and then a legislative public hearing to make a recommendation to the City Council.

This work session aims to obtain feedback on the draft amendments before a public workshop with the Planning Commission, expected on October 17, 2024.

The proposed draft amendments are included in **Attachment 1**, and the redlined draft amendment can be found in **Attachment 2**.

### Background:

The proposed amendments were recommended by the Landscape Review Committee, and the amendments are intended to address a limited, narrow scope of issues related to landscape plans.

Following the Landscape Review Committee's initial recommendation, further discussions have been held with the LRC, staff, and agencies regarding additional issues, summarized below. Staff recommends that these be brought back for consideration in a revised draft.

### Discussion:

Staff has prepared draft amendments summarized as described below, as provided in **Attachments 1 and 2**.

The proposal includes key amendments to the following sections of the Zoning Ordinance.

**17.57. Landscaping**

- 17.57.010. Purpose and Intent. Changes to the purpose and intent
- 17.57.030. Specific zones requiring landscaping.
- 17.57.040. Specific uses requiring landscaping.
- 17.57.050. Plans-submittal and review-approval-Time for completion.
- 17.57.060. Plans-information to be included
- 17.57.070. Area determination – Planning factors

The proposed amendments are intended to address key issues; the issues are identified in **bold** and the proposed manner of addressing the issue follows in normal text.

- 1. State law requires the same approval process for “middle housing” as for detached single-unit homes. Therefore, the procedure for review must be the same for these housing types. In addition, the standards for housing are required to be clear and objective. The amendments would align the landscape provisions with these requirements.** Staff recommends revising Chapter 17.57 Landscaping to include measurable standards. For example, the proposed revision to Section 17.57.070(B)(1) includes specific requirements for sight-obscuring screening, including minimum height and opacity.
- 2. The proposed amendments include updates to the purpose and intent to reflect environmental issues better.** Staff recommends revising Section 17.57.010 to include items previously identified by the Landscape Review Committee, including environmental issues of groundwater contamination, environmental and climate changes, and promoting air quality.
- 3. Landscaping requirements apply to uses in certain zoning districts and to certain uses in other zoning districts. The proposed amendments are intended to further address the specific uses requiring landscaping.** Staff recommends revising Sections 17.57.030 and 17.57.040 to reflect those previously identified by the Landscape Review Committee, including adding an R-5 zone, exempting certain housing types, and modifying specific uses requiring landscaping.
- 4. The proposed amendments increase the time from 30 to 45 days for processing landscape plan applications to allow for review at a regular monthly meeting of the Landscape Review Committee.** Staff recommends adding Sections 17.57.050(A)(1)(b) and 17.57.050(B)(2)(b), which create a 45-day review period for landscape plans.
- 5. The proposed amendments specify information to be shown on the plans submitted for landscape review.** Staff recommends revising Section 17.57.060 to include additional specificity on the information shown on the plans submitted for landscape review.
- 6. The proposed amendments clarify that the minimum required landscape area applies to the area of the developed site and addresses the method of calculating requirements for expansion on a site.** Staff recommends revising Section 17.57.070(5) to clarify area requirements.
- 7. Revisions are proposed for standards for landscape design related to landscape screening and fencing, tree protection during construction, parking lot landscaping, and irrigation systems.** Staff recommends revising Section 17.57.070(B) to provide measurable standards for screening and fencing, tree protection, parking lot landscaping, and irrigation systems.
- 8. Amendments to procedural and technical provisions relating to landscape plans, review, and installation.** Staff recommends creating a new “administrative review process” and “discretionary review process” with the proposed Section 17.57.050(A)(1) & (2). The administrative review process will allow the Planning Director to review proposed landscape



plans that seek to implement landscaping standards as written. The discretionary review process allows an applicant to request alterations to the standards. The applicant would be required to identify how the project still complies with the purpose and intent of the Chapter. The Landscape Review Committee would determine if the proposed alterations met the chapter's purpose and intent.

Staff requests feedback from the Landscape Review Committee regarding whether the proposed changes meet the revisions requested for the landscape code.

**Attachments:**

1. ***Attachment 1.*** Proposed Draft Zoning Ordinance Amendments
2. ***Attachment 2.*** Redlined Proposed Draft Zoning Ordinance Amendments

**Recommendation:**

Any suggestions and direction from the Landscape Review Commission regarding the proposed draft amendments are appreciated.

## LANDSCAPING

### Sections:

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

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

- A. Provide guidelines and standards that will:
  1. Reduce soil erosion and ground water contamination by the volume and rate of discharge of storm water runoff.
  2. Aid in energy conservation by shading structures from energy losses caused by weather and wind.
  3. Mitigate the loss of natural resources.
  4. Provide parking lot landscaping to reduce the harmful effects of heat, noise and glare associated with motor vehicle use.
  5. Create safe, attractively landscaped areas adjacent to public streets.
  6. Require the planting of street trees along the City's rights-of-way.
  7. Provide visual screens and buffers that mitigate the impact of conflicting land uses to preserve the appearance, character and value of existing neighborhoods.
  8. Provide shade, and seasonal color.
  9. Reduce glare, noise and heat.
  10. Address changes to the environment and climate
- B. Promote compatibility between land uses by reducing the visual noise and lighting impacts of specific developments on users of the site and abutting properties.
- C. Unify development and enhance and define public and private places.
- D. Preserve existing mature trees.
- E. Enhance the urban forest and tree canopy
- F. Encourage the use of plants native to the Willamette Valley to the maximum extent feasible, in order to reduce watering requirements and agricultural

chemical applications, and to provide a sense of regional identity with plant communities unique to the area.

- G. Establish and enhance a pleasant visual character and structure to the built environment that is sensitive to safety and aesthetic issues.
- H. Enhance McMinnville as a community that cares about its appearance.
- I. Promote air quality.

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                    Specific zones requiring landscaping. Landscaping shall be required in the following zones except as otherwise noted:

- A. R-4 (Medium, High-Density Residential zone)
- B. R-5 (Multiple-Dwelling Residential zone);
- C. C-1 (Neighborhood Business zone);
- D. C-2 (Travel Commercial zone);
- E. C-3 (General Commercial zone);
- F. O-R (Office/Residential zone);
- G. M-L (Limited Light Industrial zone);
- H. M-1 (Light Industrial zone);
- I. M-2 (General Industrial zone);
- J. The following construction is exempt from the standards of this Chapter: accessory dwelling units, cottage clusters, plexes, single detached houses, single room occupancy – small housing, single room occupancy – large housing, tiny houses, or townhouses). These uses are subject to the landscaping requirements of Chapter 17.11. (Ord. 5027 §2, 2017; Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

17.57.040                    Specific Uses Requiring Landscaping.

- A. Non-Residential Uses, subject to the landscaping requirements when in a residential zone;

- B. Utility substations shall have sight-obscuring screening around the perimeter of the structure(s).
- C. Manufactured Dwelling Park, subject to the landscaping requirements of Ord. 4220 and Ord. 4564;
- D. Multiple-dwelling, commercial, and industrial uses in residential planned developments, subject to the landscaping requirements of the type of use in the planned development
- E. Satellite dish in residential zone shall be screened from abutting or facing residential properties by a sight obscuring fence, wall, or planting. (Ord. 5027 §2, 2017; Ord. 4264 §1, 1983; Ord. 4254 §1, 1983; Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

17.57.050 Plans - Submittal and Review – Approval – Completion Time

Limit.

- 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 uses standards that do not require the use of discretionary decision-making. The discretionary process uses 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 mandatory 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 17.56.060;
    - b. The Planning Director shall conduct a review within forty-five (45) days of submission of the plans. A failure to review within forty-five (45) 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 17.56.040 and Section 17.56.070.
    - d. No building permit shall be issued until the landscape plan has been approved.
    - e. Minor changes in the landscape plan shall be allowed, as determined by the Planning Director, as long as they 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. Landscaping review shall occur by the Landscape Review Committee within forty-five (45) 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 forty-five (45) days shall be considered as approval of the plan;
  - c. 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;
  - d. 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.
  - e. No building permit shall be issued until the landscape plan has been approved.
  - f. The Applicant may request a modification of a previously approved landscape plan or irrigation 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 mandatory standards or adjust an identified design feature or overall design concept, the plan shall be resubmitted, with fee, to the Landscape Review Committee for review subject to the review process of 17.57.020(A)(2)(b). 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 and impact on compliance with mandatory standards.
    - 2) The approved landscape plan with those proposed alterations clearly identified.
- D. Occupancy permits may be issued prior to the complete installation of all required landscaping if security equal to 120 percent of the cost of landscaping, as determined by the Planning Director is filed with the City assuring such

installation within a time specified by the Planning Director, but not to exceed six (6) months after occupancy. The applicant shall provide the estimates of landscaping materials and installation to the satisfaction of the Planning Director prior to approval of the security. "Security" may consist of a faithful performance bond payable to the City, cash, certified check, time certificate of deposit, or assignment of a savings account, and the form shall meet with the approval of the City Attorney. If the installation of the landscaping is not completed within the period specified by the Planning Director, or within an extension of time authorized by the Landscape Review Committee, the security may be used by the City to complete the installation. Upon completion of the installation, inspection, and approval, any portion of the remaining security deposited with the City shall be returned. The final landscape inspection shall be made prior to any security being returned. Any portions of the plan not installed, not installed properly, or not properly maintained shall cause the final inspection and/or approval to be postponed until the project is completed or cause the security to be used by the City;

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

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

- A. The date, north point, scale, revision block, property description and accessor map parcel number(s), project title, zoning classification(s), and associated permits(s) or implementing ordinance(s);
- B. Name, addresses, and phone number of the recorded owner(s), authorized agents or representatives, and plans preparer;
- C. 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;
- D. The location size, and the variety (common and botanical name), and size of all new trees, shrubs, groundcover and lawns at maturity;
- E. The percentage of the gross area to be landscaped;
- F. Any equipment proposed for recreation uses;

- G. 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;
- H. 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;
- I. 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;
- J. All of the following information:
  - 1. Lot and building setback dimensions.
  - 2. Property corner elevations (if there is more than a 4-foot elevation differential, site plan must show contour lines at 2-foot intervals).
  - 3. Location of easements and driveway (existing and proposed).
  - 4. Footprint of new structure (including decks).
  - 5. Location of existing wells and septic systems.
  - 6. Utility locations.
  - 7. Lot area, building coverage area, percentage of coverage and impervious area.
  - 8. Surface drainage.
  - 9. Location and extent of fill on the lot.
  - 10. Existing and platted street names and other public ways.
- 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. (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 (7) percent of the gross area of the development site. This may be reduced to not less than five (5) 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 (7) percent of the gross area of the development site. This may be reduced to not less than five (5) 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 of the development site. This may be reduced to not less than fifteen percent upon approval of the review committee. (The gross area to be landscaped may only be reduced by the review committee if there is a showing by the applicant that the intent and purpose of this chapter and subsection B of this section are met.)
  4. A surface parking lot or parking structure 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:
    - a. Demonstrate that the minimum gross landscaping for the site meets 17.57.070.A.
    - b. Any new parking lot area shall meet 17.57.070.B.4.
    - c. Landscaping to be installed for an addition or expansion may be spread over the entire site (original and addition or expansion projects) with the approval of the review committee;
    - d. If the addition is less than 500SF and existing and proposed landscaping meet minimum landscaping percentage standards, then review by the Landscape Plan Review can be waived by staff.
- B. The following standards shall be met by the applicant when designed the Landscape Plan. The Landscape Review Committee shall have the authority to deny an application for failure to comply with any or all of these conditions:
1. Sight-obscuring screening the proposed use shall be by sight-obscuring, evergreen plantings, shade trees, fences, or combinations of plantings and screens. The screening of abutting residential properties shall conform to the following standards:
    - a. Height. Fences and walls shall be a minimum of six (6) feet in height. Landscaping shall be of a species that will attain a height of at least six (6) feet within three years of planting.
    - b. Opacity. Screening shall be sight-obscuring. Fences, walls, and landscaping shall be at least 75 percent opaque when viewed from any angle at a point 25 feet away from the fence, wall, or landscaping.
  2. Landscaping and fencing requirements shall be superseded by the requirements in Section 17.54.080, Clear Vision Area, Chapter 8.10.210 of the MMC for regulations and fences, and other applicable screening standards if more restrictive. The existing grade shall be preserved to the maximum practical degree. Existing trees to remain shall be protected during construction as provided under Chapter 17.58.
  3. Parking Areas. The development and use of islands and plantings therein to break up parking areas shall be incorporated to break up parking areas as follows:
    - a. To minimize large expanses of continuous pavement, parking areas greater than 6,000 square feet in area shall be physically and visually



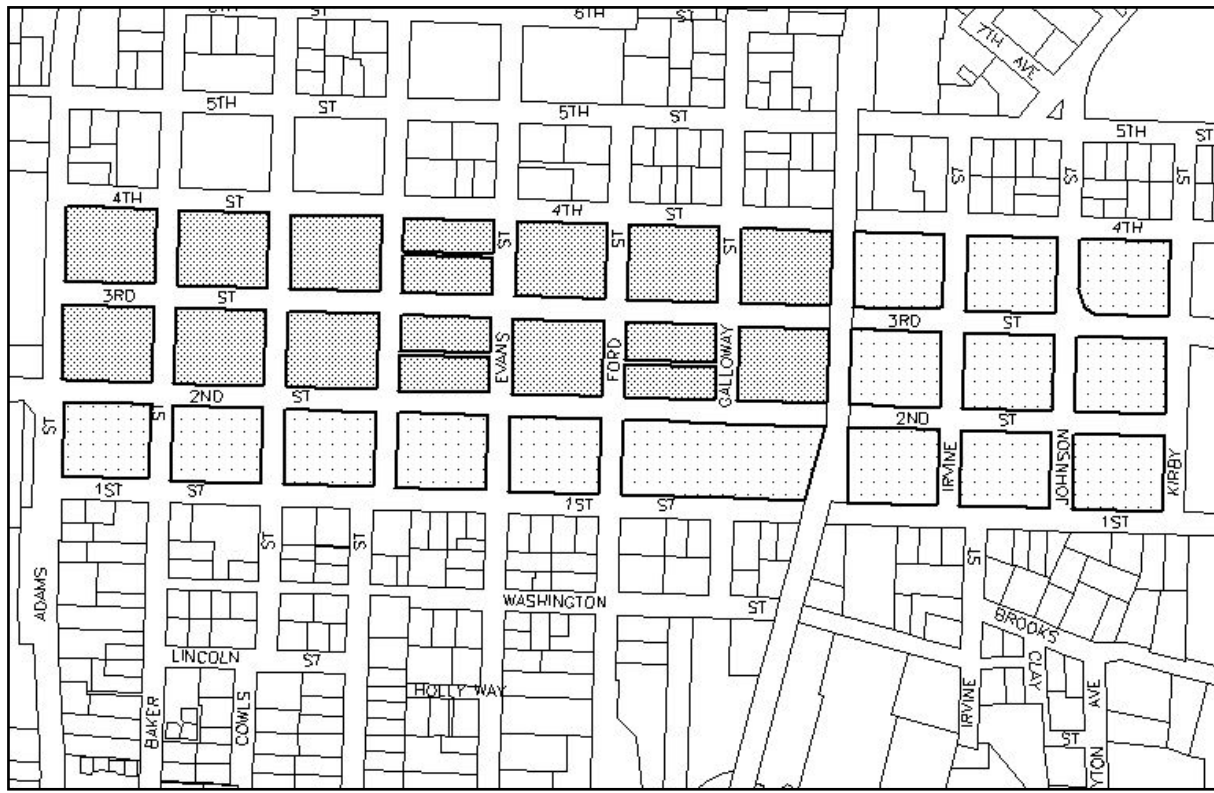
- separated with landscape islands. These separated parking areas may be connected by a drive aisle or driveway.
- b. A minimum of one deciduous shade tree shall be planted for every ten (10) contiguous parking spaces within a parking area. Trees may be clustered within landscape islands or planter bays and shall be distributed throughout the parking area to create a canopy effect and to break up expanses of paving and long rows of parking spaces.
  - c. Landscape islands and planter bays.
    - 1) Landscape islands and planter bays shall have a minimum planting area of 25 square feet, and shall have a minimum width of five feet, excluding curb.
    - 2) Each planter island shall contain tree and shrubs.
  - d. Driveway Entryway. Each driveway entryway shall be bordered by a minimum five-foot-wide landscaping planter strip on both sides of entryway with the same landscaping provisions as planter island.
  - e. Surface parking areas shall be landscaped along the streetside edge of all surface parking lots with a wall, thirty (30) inches in height, hedge, or dense landscaping. Landscaping within the buffer strip shall include trees selected as appropriate to the situation and spaced according to its type, shrubs spaced a minimum of three feet on center, and groundcover.
  - f. Surface parking areas shall be separated from the exterior wall of a structure by a five-foot landscaping strip or pedestrian walkways, except where a loading area is present.
  - g. Certain trees shall be prohibited in parking areas: poplar, willow, fruit, nut, birch, conifer, and ailanthus or as otherwise identified in Chapter 17.58.
4. The use of suitable street trees in the development of new subdivisions, shopping centers and like developments as required by Chapter 17.58.
  5. Permanent underground or drip watering facilities or irrigation systems should consider the following:
    - a. Lawn valves shall be separated from non-lawn zones.
    - b. Irrigation heads shall be maximum spaced with "head-to-head" coverage.
    - c. All station valves shall have adjustable flow control valves, pressure reducing valves or other devices to minimize "misting" of water droplets.
    - d. Bed valves shall be separated by sun exposures.
    - e. Irrigation Controllers shall have minutes the following minimum specifications:
      - 1) A minimum of four (4) independent programs;
      - 2) Station run time from 1-200;
      - 3) Three start times per program;
      - 4) Water budgeting from 0-200% increments, by program;
      - 5) Battery backup;
      - 6) Rain shut-off device; and

- 7) "Off," "On," and "Manual" operation modes without disturbing program.
- f. A permanent underground or drip irrigation system is not required for:
  - 1) Existing healthy vegetation that has been established for at least two years and that is being preserved to meet the landscaping requirements under this chapter;
  - 2) New vegetation that is drought resistant, in which case a two-year plant establishment schedule shall be provided with the landscaping plan describing the amount of water to be applied over a two-year time period and how that water will be distributed to the plant material; or
  - 3) New vegetation located within stormwater facilities as required by the Public Works Design Standards, in which case a two-year plant establishment schedule shall be provided with the landscaping plan describing the amount of water to be applied over a two-year time period and how that water will be distributed to the plant material.
6. Trash Enclosure. Any trash or recycling enclosure which is visible from the street shall provide landscaping to screen the structure from the street view. Climbing vines and screening shrubs or hedges are appropriate, and landscaping must be a minimum of three feet (3) in height at the time of planting.
- C. All landscaping approved through the Landscape Review Committee shall be continually maintained, including necessary watering, weeding, pruning, mowing, and replacement. Minor changes in the landscape plan, such as like-for-like replacement of plants, shall be allowed, as long as they do not alter the character and aesthetics of the original plan. It shall be the Planning Director's decision as to what constitutes a major or minor change. Major changes to the landscape plan shall be reviewed and approved by the Landscape Review Committee. (Ord. 5027 §2, 2017; Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

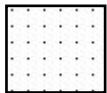
17.57.080 Central Business District. The central business district shall be divided into two areas as defined in this section:

- A. Area I is that area between Adams Street and the railroad tracks and between Second and Fourth Streets. The landscaping requirements set forth herein shall not apply to this portion of the central business district, except for the provision of street trees according to the city's master plan;
- B. Area II is defined as being that area between Adams and Kirby Streets from First to Fourth Streets, excluding the area in subsection A above. One-half (50 %) 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).

## LANDSCAPING

### Sections:

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

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

- A. Provide guidelines and standards that will:
  1. Reduce soil erosion and ground water contamination by 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.
  - 9-10.        Address changes to the environment and climate
- B. Promote compatibility between land uses by reducing the visual noise and lighting impacts of specific developments on users of the site and abutting properties.
- C. Unify development and enhance and define public and private places.
- D. Preserve existing mature trees.
- E. Enhance the urban forest and tree canopy-
- F. Encourage the use of plants native to the Willamette Valley to the maximum extent feasible, in order to reduce watering requirements and agricultural

chemical applications, and to provide a sense of regional identity with plant communities unique to the area.

G. Establish and enhance a pleasant visual character and structure to the built environment that is sensitive to safety and aesthetic issues.

H. Support ~~Enhance~~ McMinnville as a community that cares about its appearance.

H.I. Promote air quality.

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 Specific zones requiring landscaping. Landscaping shall be required in the following zones except as otherwise noted:

A. R-4 (~~Multiple Dwelling~~Medium, High-Density Residential zone), ~~except the construction of a detached or plex residential units);~~

B. R-5 (Multiple-Dwelling Residential zone);

~~B.C.~~ C-1 (Neighborhood Business zone);

~~C.D.~~ C-2 (Travel Commercial zone);

~~D.E.~~ C-3 (General Commercial zone);

~~E.F.~~ O-R (Office/Residential zone);

~~F.G.~~ M-L (Limited Light Industrial zone);

~~G.H.~~ M-1 (Light Industrial zone);

I. M-2 (General Industrial zone);

H.J. The following construction is exempt from the standards of this Chapter: accessory dwelling units, cottage clusters, plexes, single detached houses, single room occupancy – small housing, single room occupancy – large housing, tiny houses, or townhouses). These uses are subject to the landscaping requirements of Chapter 17.11. (Ord. 5027 §2, 2017; Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

17.57.040 Specific Uses Requiring Landscaping.

- A. ~~Churches~~Non-Residential Uses, subject to the landscaping requirements of a ~~multiple dwelling 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~~ shall have sight-obscuring screening around the permitter of the structure(s).
- C. ~~Mobile home park~~Manufactured Dwelling Park, subject to the landscaping requirements of a multiple dwelling development of Ord. 4220 and Ord. 4564;
- D. Multiple-dwelling, 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)~~
- E. Satellite dish in residential zone shall be screened from abutting or facing residential properties by a sight obscuring fence, wall, or planting. (Ord. 5027 §2, 2017; Ord. 4264 §1, 1983; Ord. 4254 §1, 1983; Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

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 uses standards that do not require the use of discretionary decision-making. The discretionary process uses 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 mandatory 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 17.56.060;
    - b. The Planning Director shall conduct a review within forty-five (45) days of submission of the plans. A failure to review within forty-five (45) 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 17.56.040 and Section 17.56.070.
  - d. No building permit shall be issued until the landscape plan has been approved.
  - e. Minor changes in the landscape plan shall be allowed, as determined by the Planning Director, as long as they 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. Landscaping review shall occur by the Landscape Review Committee within forty-five (45) 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 forty-five (45) days shall be considered as approval of the plan;
  - c. 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;
  - d. 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.
  - e. No building permit shall be issued until the landscape plan has been approved.
  - f. The Applicant may request a modification of a previously approved landscape plan or irrigation 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 mandatory standards or adjust an identified design feature or overall design concept, the plan shall be resubmitted, with fee, to the Landscape Review Committee for review subject to the review process of 17.57.020(A)(2)(b). 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 and impact on compliance with mandatory standards.

2) The approved landscape plan with those proposed alterations clearly identified.

- ~~B. Landscaping review shall occur within 30 (thirty) days of submission of the plans. The applicant shall be notified of the time and place of the review and is encouraged to be present, although their presence shall not be necessary for action to be taken on the plans. A failure to review within 30 (thirty) days shall be considered as approval of the plan;~~
- ~~C. The landscaping plan shall be approved if it is found to be compatible with the purpose, intent, and requirements of this chapter. Approval of the landscaping plan shall be indicated upon the plot plans. Any modifications shall be specified on the plans and agreed to in writing by the applicant prior to the issuance of a building permit. One copy of said approved plan shall be retained by the Planning Department and included within the permanent file;~~
- D. Occupancy permits may be issued prior to the complete installation of all required landscaping if security equal to 120 percent of the cost of landscaping, as determined by the Planning Director is filed with the City assuring such installation within a time specified by the Planning Director, but not to exceed six (6) months after occupancy. The applicant shall provide the estimates of landscaping materials and installation to the satisfaction of the Planning Director prior to approval of the security. "Security" may consist of a faithful performance bond payable to the City, cash, certified check, time certificate of deposit, or assignment of a savings account, and the form shall meet with the approval of the City Attorney. If the installation of the landscaping is not completed within the period specified by the Planning Director, or within an extension of time authorized by the Landscape Review Committee, the security may be used by the City to complete the installation. Upon completion of the installation, inspection, and approval, any portion of the remaining security deposited with the City shall be returned. The final landscape inspection shall be made prior to any security being returned. Any portions of the plan not installed, not installed properly, or not properly maintained shall cause the final inspection and/or approval to be postponed until the project is completed or cause the security to be used by the City;
- E. All completed landscape projects shall be inspected by the Planning Director or their designee. Said projects shall be found to be in compliance with the approved plans prior to the issuance of an occupancy certificate for the structure, or prior to any security or portion thereof being refunded to the

applicant. Minor changes in the landscape plan shall be allowed, as determined by the Planning Director or their designee, as long as they do not alter the character intent and aesthetics of the original plan. (Ord. 5027 §2, 2017; Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

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

- ~~A.~~ Existing locations of trees over six inches in diameter, their variety (common 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. The date, north point, scale, revision block, property description and accessor map parcel number(s), project title, zoning classification(s), and associated permits(s) or implementing ordinance(s);
- B. Name, addresses, and phone number of the recorded owner(s), authorized agents or representatives, and plans preparer;
- C. 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.~~D. 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.~~E. The percentage of the gross area to be landscaped;
- ~~D.~~F. Any equipment proposed for recreation uses;
- ~~E.~~G. 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.~~H. 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;
- I. 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;
- J. All of the following information:
  - 1. Lot and building setback dimensions.

2. Property corner elevations (if there is more than a 4-foot elevation differential, site plan must show contour lines at 2-foot intervals).
  3. Location of easements and driveway (existing and proposed).
  4. Footprint of new structure (including decks).
  5. Location of existing wells and septic systems.
  6. Utility locations.
  7. Lot area, building coverage area, percentage of coverage and impervious area.
  8. Surface drainage.
  9. Location and extent of fill on the lot.
  10. Existing and platted street names and other public ways.
- 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. (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 (7) percent of the gross area of the development site. This may be reduced to not less than five (5) 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 (7) percent of the gross area of the development site. This may be reduced to not less than five (5) 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 of the development site. This may be reduced to not less than fifteen percent upon approval of the review committee. (The gross area to be landscaped may only be reduced by the review committee if there is a showing by the applicant that the intent and purpose of this chapter and subsection B of this section are met.)
  4. A surface parking lot or parking structure 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.~~

~~ALC (additional  
lot coverage) X % of landscaping X Total lot area  
ELC (Existing required  
Lot Coverage)~~

a. Demonstrate that the minimum gross landscaping for the site meets 17.57.070.A.

b. Any new parking lot area shall meet 17.57.070.B.4.

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

d. If the addition is less than 500SF and existing and proposed landscaping meet minimum landscaping percentage standards, then review by the Landscape Plan Review can be waived by staff.

~~a.—~~

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

~~1. Compatibility with the proposed project and the surrounding and abutting properties and the uses occurring thereon.~~

2.1. ~~Sight-obscuring~~ Screening the proposed use shall be by sight-obscuring, evergreen plantings, shade trees, fences, or combinations of plantings and screens. The screening of abutting residential properties shall conform to the following standards:

a. Height. Fences and walls shall be a minimum of six (6) feet in height. Landscaping shall be of a species that will attain a height of at least six (6) feet within three years of planting.

b. Opacity. Screening shall be sight-obscuring. Fences, walls, and landscaping shall be at least 75 percent opaque when viewed from any angle at a point 25 feet away from the fence, wall, or landscaping.

~~a.—~~ Landscaping and fencing requirements shall be superseded by the requirements in Section 17.54.080, Clear Vision Area, Chapter 8.10.210 of the MMC for regulations and fences, and other applicable screening standards if more restrictive.

~~3.2. The retention of existing trees and natural areas that may be incorporated in the development of the project. The existing grade should~~

- shall be preserved to the maximum practical degree. Existing trees to remain shall be provided with a watering area equal to at least one-half the crown area protected during construction as provided under Chapter 17.58.
- 4.3. Parking Areas. The development and use of islands and plantings therein to break up parking areas: shall be incorporated to break up parking areas as follows:
- a. To minimize large expanses of continuous pavement, parking areas greater than 6,000 square feet in area shall be physically and visually separated with landscape islands. These separated parking areas may be connected by a drive aisle or driveway.
  - b. A minimum of one deciduous shade tree shall be planted for every ten (10) contiguous parking spaces within a parking area. Trees may be clustered within landscape islands or planter bays and shall be distributed throughout the parking area to create a canopy effect and to break up expanses of paving and long rows of parking spaces.
  - c. Landscape islands and planter bays.
    - 1) Landscape islands and planter bays shall have a minimum planting area of 25 square feet, and shall have a minimum width of five feet, excluding curb.
    - 2) Each planter island shall contain tree and shrubs.
  - d. Driveway Entryway. Each driveway entryway shall be bordered by a minimum five-foot-wide landscaping planter strip on both sides of entryway with the same landscaping provisions as planter island.
  - e. Surface parking areas shall be landscaped along the streetside edge of all surface parking lots with a wall, thirty (30) inches in height, hedge, or dense landscaping. Landscaping within the buffer strip shall include trees selected as appropriate to the situation and spaced according to its type, shrubs spaced a minimum of three feet on center, and groundcover.
  - f. Surface parking areas shall be separated from the exterior wall of a structure by a five-foot landscaping strip or pedestrian walkways, except where a loading area is present.
  - g. Certain trees shall be prohibited in parking areas: poplar, willow, fruit, nut, birch, conifer, and ailanthus or as otherwise identified in Chapter 17.58.
- 5.4. 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~~ as required by Chapter 17.58.
- 6.5. Suitable ~~Permanent underground or drip~~ watering facilities or irrigation systems ~~must be included in or near all planted areas;~~ should consider the following:
- a. Lawn valves shall be separated from non-lawn zones.
  - b. Irrigation heads shall be maximum spaced with “head-to-head” coverage.

- c. All station valves shall have adjustable flow control valves, pressure reducing valves or other devices to minimize “misting” of water droplets.
- d. Bed valves shall be separated by sun exposures.
- e. Irrigation Controllers shall have minutes the following minimum specifications:
  - 1) A minimum of four (4) independent programs;
  - 2) Station run time from 1-200;
  - 3) Three start times per program;
  - 4) Water budgeting from 0-200% increments, by program;
  - 5) Battery backup;
  - 6) Rain shut-off device; and
  - 7) “Off,” “On,” and “Manual” operation modes without disturbing program.
- f. A permanent underground or drip irrigation system is not required for:
  - 1) Existing healthy vegetation that has been established for at least two years and that is being preserved to meet the landscaping requirements under this chapter;
  - 2) New vegetation that is drought resistant, in which case a two-year plant establishment schedule shall be provided with the landscaping plan describing the amount of water to be applied over a two-year time period and how that water will be distributed to the plant material; or
  - 3) New vegetation located within stormwater facilities as required by the Public Works Design Standards, in which case a two-year plant establishment schedule shall be provided with the landscaping plan describing the amount of water to be applied over a two-year time period and how that water will be distributed to the plant material.

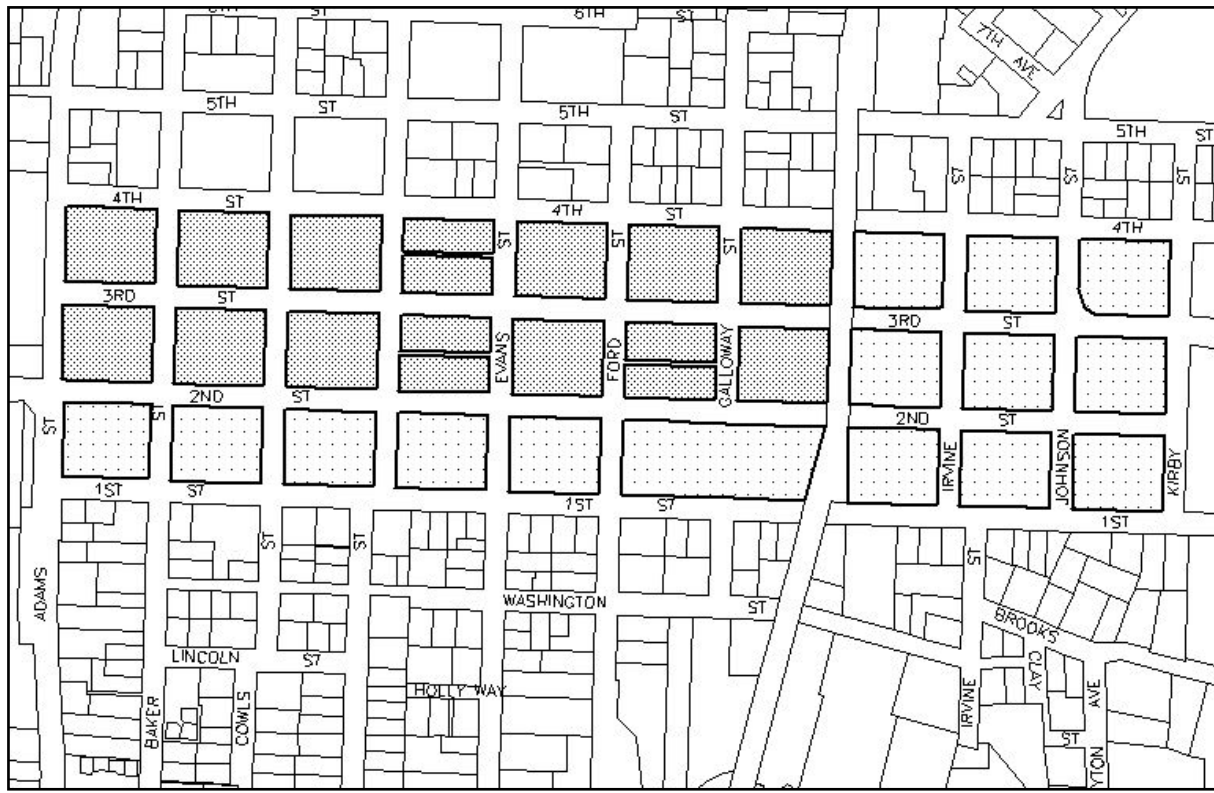
7.6. Trash Enclosure. Any trash or recycling enclosure which is visible from the street shall provide landscaping to screen the structure from the street view. Climbing vines and screening shrubs or hedges are appropriate, and landscaping must be a minimum of three feet (3) in height at the time of planting.

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

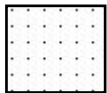
17.57.080 Central Business District. The central business district shall be divided into two areas as defined in this section:

- A. Area I is that area between Adams Street and the railroad tracks and between Second and Fourth Streets. The landscaping requirements set forth herein shall not apply to this portion of the central business district, except for the provision of street trees according to the city's master plan;
- B. Area II is defined as being that area between Adams and Kirby Streets from First to Fourth Streets, excluding the area in subsection A above. One-half (50 %) 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).