



PLANNING COMMISSION MEETING
Tuesday, September 23, 2014
6:30 p.m.
Council Chambers
2nd Floor City Hall
1300 NE Village Street

MEETING AGENDA

1. **CALL TO ORDER:** 6:30 p.m.
2. **CITIZENS WISHING TO SPEAK ON NON-AGENDA ITEMS**
3. **REVIEW AND ADOPT MINUTES:** August 26, 2014
4. **PUBLIC HEARING**
 - 2014-29-ZC; Ordinance 11-2014; Resolution 42-2014
Amend FMC 19.107, 19.140 & 19.155
Village Street Trees
5. **STAFF UPDATES**
6. **COMMISSION UPDATES**
7. **TENTATIVE AGENDA:** TBD
8. **ADJOURNMENT**

NEXT PLANNING COMMISSION MEETING IS TBD.

Planning Commission hearings are broadcast live on Comcast Cable Channel 22 and Frontier Cable Channel 33. Replays of the hearing are shown on Comcast Channel 22 and Frontier Channel 33 Saturday at 12:00pm and Monday at 2:00pm, and Comcast Channel 30 and Frontier Channel 39 Wednesday at 7:00pm. Further information is available on our web page at www.fairvieworegon.gov or by calling Devree Leymaster, City Recorder, 503-674-6224.

The meeting location is wheelchair accessible. A request for an interpreter for the hearing impaired or for other accommodations for person with disabilities should be made at least 48 hours before the meeting to: Devree Leymaster, 503-674-6224.



MINUTES
PLANNING COMMISSION MEETING
1300 NE Village Street
Fairview, OR 97024
Tuesday, August 26, 2014

PRESENT: Gary Stonewall, Chair
Ed Jones, Vice Chair
Keith Kudrna
Jack McGiffin
Steve Kaufman
Julius Arceo
Greg Walczyk

STAFF: Allan Berry, Public Works Director
Erika Palmer, Development Analyst
Devree Leymaster, City Recorder

1. CALL TO ORDER

Chair Stonewall called the meeting to order at 6:30 PM.

2. CITIZENS WISHING TO SPEAK ON NON-AGENDA ITEMS

Chair Stonewall inquired if any person would like to speak on a non-agenda item, hearing none moved to approval minutes.

3. REVIEW AND ADOPT MINUTES

Vice Chair Jones moved to approve the June 24, 2014 minutes and Commissioner Kudrna seconded. The motion passed unanimously.

Commissioner Kudrna moved to approve the July 22, 2014 minutes and Commissioner Kaufman seconded. The motion passed unanimously.

4. WORK SESSION

a. Village Street Tree Discussion

Development Analyst Palmer provided a brief Village Street history to date. Village Street sidewalks pose safety concerns and the discussion/process to replace the sidewalks is underway. Part of the project will be to remove the street trees and replace them. The current code requires Chanticleer Pear and planting an average of every 30 feet. An arborist briefed the Commission at the last meeting regarding street tree species and viable options. The Commission consensus last meeting was for staff to talk with the two Village Street HOA's to see what tree they would like to see planted. Staff did so, and the Pink Flair Cherry tree is the choice of the HOA's. A code amendment is required to make this change.

Staff proposes moving the Village Street Tree Map and Tree List to the Sidewalk Maintenance Handbook. This will alleviate the need for future legislative processes every time a change is requested, saving time and money. Changes can be made by Council via resolution. This flexible and simplified approach is supported by the Economic Development Advisory Committee (EDAC). The second recommended amendment is to add language to provide some flexibility in the 30 feet planting requirement.

Chair Stonewall commented this simplifies the process, saves time and money, and provides better street tree options. Chair Stonewall clarified this change is only for the Village and does not pertain to the "lake area" where there are also sidewalk/street issues. Development Analyst

Palmer replied the proposed changes are for the Village only; however, the trees in the “lake area” are already specified in the Sidewalk Handbook.

Commissioner Kaufman inquired if “street trees” in the first sentence of 19.140.050B should be marked for strikeout. Development Analyst Palmer replied yes.

Vice Chair Jones commented if there are other tree related code references in the development code could these changes cause a conflict? Development Analyst Palmer replied she will conduct another code review to check for any potential conflicts.

Commissioner Kaufman asked if these changes are made what is the process down the road. Development Analyst Palmer answered Planning Commission, staff, or citizens could recommend or request changes to the handbook to Council. Council can make the change via resolution.

Commissioner Kaufman moved to start the public hearing process on proposed changes to FMC 19.140 Village General Standards and FMC 19.155 Village Trail System Plan and recommend to Council to adopt the Village Street Map and Tree Type to the City’s Sidewalk Maintenance Handbook by resolution. Commissioner Kudrna seconded. The motion passed unanimously.

5. STAFF UPDATES

Director Berry reported there are hazard trees in Fairview Woods Park. Work to trim trees, trail widening, and goats to clear the understory will begin soon.

Park improvements are underway at Park Cleone. Local contractor Dirt and Aggregate is doing a great job.

Chair Stonewall asked about the equipment at the proposed VA property. Director Berry replied the applicant, on his own, is gathering information in preparation of obtaining a 1200C permit.

Commissioner Kaufman inquired if there were any applications for Dean Hurford’s property. Staff replied no.

6. COMMISSION UPDATES

None.

7. TENTATIVE AGENDA – September 23, 2014

Public Hearing – Village Street Trees: Amend FMC 19.140 & 19.55

8. ADJOURNMENT

Meeting adjourned by consensus at 6:47PM.

Gary Stonewall, Chair

Devree A. Leymaster
City Recorder

Date: _____



PLANNING COMMISSION STAFF REPORT

TO: Fairview Planning Commission

FROM: Erika Palmer, Development Analyst

DATE: September 23, 2014

APPLICATION NUMBER: 2014-29-ZC; Ordinance 11-2014; Resolution 42-2014

APPLICATION: To consider Amendments to Fairview Municipal Code (FMC) Sections:

- 19.107 South Fairview Lake Design Overlay
- 19.140 Village General Standards; and
- 19.155 Village Trail System Plan

COMPREHENSIVE PLAN DESIGNATION: Village, Residential (Low Density)

ZONING DESIGNATION: Village Commercial (VC)
Village Mixed Use (VMU)
Village Office
Village Apartments (VA)
Village Townhouse (VTH)
Village Single Family (VSF)
Residential/South Fairview Lake Design Overlay (R/SFLD)

APPLICANT: City of Fairview

Action Requested

Adopt a recommendation to the Fairview City Council to approve Ordinance 11-2014 amending: FMC Sections: 19.107 South Fairview Lake Design Overlay, 19.140 Village General Standards, and 19.155, Village Trail System Plan, and to approve Resolution 42-2014 to amend the City's Sidewalk Maintenance Program Handbook.

Background

Street trees in the South Fairview Lake and Village areas are currently subject to regulations in FMC Sections: 19.107 South Fairview Lake Design Overlay, 19.140 Village General Standards and 19.155 Village Trail System Plan. These regulations serve to create a uniform street tree appearance throughout these two areas.

Figure V-5, in FMC 19.155 Village Trail System Plan, regulates trees based on four "Street Tree Character Code Definitions": color, form, texture, and size. Each definition is then split into identifying characteristics:

Color

1. Flowers & fall foliage
2. Flowers. No fall foliage
3. No flowers. No fall foliage

Form

1. Rounded canopy
2. Full arching canopy
3. Columnar canopy

Texture

1. Dense, large leaf, full
2. Filtered, medium leaf, full yet open

Size

1. 15' to 30' in height
2. 20' to 40' in height
3. 30' to 60' in height
4. 40' to 100' in height

There has been discussion among residents, business owners, and city staff that the standards laid out by this matrix specifying street tree species is proven to be problematic because:

1. The required trees are not appropriate for the size of the planter strip in some areas resulting in the roots of the trees pushing up sidewalk panels.

2. The tree plan adopted into the Fairview Municipal Code was not implemented by the developer. For example – the Ash and Maple trees on Village Street should be Chanticleer Pear according to the required tree matrix. Therefore, if a street tree needs to be replaced, the required replacement tree as regulated by FMC 19.140.050 and Figure V-5 will not be uniform with existing trees.

The Fairview Planning Commission held a work session on July 22, 2014 and city staff discussed the sidewalk concerns and presented a draft Village Street Sidewalk Improvement Plan. Staff invited a representative from a local nursery to discuss appropriate street tree options with the Planning Commission. The Planning Commission recognized that the sidewalks are a safety hazard and need to be repaired. In addition to sidewalk repairs new appropriate street trees should be installed with larger tree wells. The Commission agreed that the type of street tree to be planted should be discussed between city staff and the Village Street stakeholders and if revisions to the development code were needed, staff should move forward to prepare changes.

Staff and the two home owner associations on Village Street and decided to move forward with Pink Flair Cherry trees.

At the August 26, 2014 Planning Commission meeting staff proposed changes to the Fairview Municipal Code. These included the following:

- Allowing additional flexibility in tree planting spacing if needed due to constraints such as utilities and rights of ways, etc. ;
- To place all street tree types to be planted in the City's Sidewalk Maintenance Program Handbook for A) consistency, and B) flexibility and cost saving should changes be required to street tree lists. Changing the City's Sidewalk Maintenance Program Handbook is not a Legislative IV action which requires Planning Commission and City Council hearings. Instead, it only requires a resolution by City Council and makes it easier for Fairview residents to request changes to street tree types.

Decision Making Process

An amendment to the Fairview Municipal Code is reviewed as a Type IV application which is legislative procedure¹. A minimum of two hearings is required, one before the Planning Commission and one before the City Council. All required notices for the proposed ordinances have been sent within the required time frame.

Alternative Courses of Action

The Planning Commission has the following decision-making options on the proposed amendments:

- Recommend approval of Ordinance 11-2014 and Resolution 42-2014

¹ Fairview Municipal Code 19.416

- Recommend approval of Ordinance 11-2014 and Resolution 42-2014 with modifications.
- Recommend denial of Ordinance 11-2014 and Resolution 42-2014
- Refer the matter back to staff.
- Take no action.
- Continue the public hearing.

Amendments to the Fairview Municipal Code and Comprehensive Plan are subject to the following applicable criteria:

- Fairview Municipal Code 19.416.070 – Type IV Process
- Comprehensive Plan Chapter 2 Policy 7B

Key Issues

1. The proposed amendments add and remove text from FMC Sections: 19.107 South Fairview lake Design Overlay, 19.1.40 Village General Standards and Section 19.155 Village Trail System Plan. See Attachment 1, Ordinance 11-2014 for all proposed changes to the Fairview Municipal Code.
2. Impacts of the Amendments:
 - The amended street tree regulations will apply to all properties within the South Fairview lake Design Overlay and Village areas.
 - Placing street tree types in the Sidewalk Maintenance Program Handbook will allow for future changes by City Council resolution. This will make amendments to tree types easier if changes in the future are needed because a Type IV legislative process through the Fairview Municipal Code will not be required.
3. Public Involvement

All public notices were provided in accordance with applicable sections of the Oregon State Statutes and Fairview Municipal Code. As of the date of the staff report, September 16, 2014 no public comments have been received.

Summary

The proposed ordinance was initiated by the City staff to add language to FMC 19.107 South Fairview Lake Design Overlay, and 19.140 Village General Standards to allow additional flexibility in the average of street tree spacing due to physical constraints

such as utilities or right-of-way (ingress/egress), etc. The proposed ordinance also repeals language and figures referencing street tree characteristics.

Staff recommends the City's Sidewalk Maintenance Program Handbook be updated to include a Village and South Fairview Lake tree map and tree types. This allows for the tree map and tree type to be updated through a City Council resolution and not through a legislative process. The City's Sidewalk Maintenance Program Handbook already lists the type of street trees to be planted within areas of the city outside the South Fairview Lake Design Overlay and Village areas.

The proposed amendments are consistent with statewide planning goals as outreach has been completed, all required notices were completed.

Staff recommends the Planning Commission adopt a recommendation to the City Council for their approval of Ordinance 11-2014 and Resolution 42-2014.

Findings in Support of Approval (Fairview Municipal Code 19.413.040.G Type IV Procedures (Legislative)).

G. The recommendation of the Planning Commission for the proposed amendments to the Fairview Municipal Code is based on the following factors:

1. The Statewide Planning Goals and Guidelines adopted under Oregon Revised Statutes Chapter 197.

The proposed regulations are consistent with statewide planning goals 1- Citizen Involvement, 2 – Land Use Planning, and 9 – Economic Development (See Summary Section above).

2. Comments from any applicable federal or state agencies regarding applicable statutes or regulations.

Not applicable.

3. Any applicable intergovernmental agreements.

Not applicable.

4. Any applicable comprehensive plan policies and provisions.

Chapter 2 Policy 7B of the Comprehensive Plan requires that any major revisions require re-evaluation of the public's need.

The proposed amendments are minor in nature, and do not create additional regulatory language. Placing all street tree types in the City's Sidewalk Maintenance Program Handbook will create flexibility and consistency.

The process for the adoption of Ordinance 11-2014 included public outreach. Staff met with Village Street residents, business owners and chairs of the two home owner associations adjacent to Village Street. Public notification requirements were met.

Attachments:

1. Ordinance 11-2014
2. Resolution 42-2014

ORDINANCE

11-2014

AN ORDINANCE OF THE FAIRVIEW CITY COUNCIL AMENDING FAIRVIEW MUNICIPAL CODE CHAPTER 19.107 SOUTH FAIRVIEW LAKE DESIGN OVERLAY, 19.140 VILLAGE GENERAL STANDARDS AND 19.155 VILLAGE TRAIL SYSTEM PLAN TO PROVIDE FLEXIBILITY FOR STREET TREE SPACING AND PLANTING TYPES

WHEREAS, public hearings were held by the Fairview Planning Commission on September 23, 2014 and the City Council on October 1, 2014; and October 15, 2014;

WHEREAS, the City provided notice of the hearings consistent with Fairview Municipal Code Chapter 19.416 and ORS 227.186; and

WHEREAS, the proposed amendments are consistent with Fairview's Municipal Code Chapter 19.416 and Comprehensive Plan Chapter 2; and

WHEREAS, current standards for tree spacing and types of trees to be planted have proven to be problematic because (1) they are often not the appropriate size for the planter strip in some areas and (2) replacing trees results in a lack of uniformity in areas where developers did not originally install the correct type of trees per City Code requirements; and

WHEREAS, the purpose of these amendments is to add language to the City's Sidewalk Maintenance Program Handbook to provide for city-wide consistency and additional flexibility in street tree spacing and placing tree types to be planted .

NOW, THEREFORE, The City of Fairview ordains as follows:

- Section 1. FMC Chapter 19.107 is amended as shows in Exhibit 1.
- Section 2. FMC Chapter 19.140 is amended as shown in Exhibit 2.
- Section 2. FMC Chapter 19.155 is amended as shown in Exhibit 3.
- Section 3. This ordinance is effective upon and from 30 days after its enactment by the Council.

Ordinance adopted by the City Council of the City of Fairview this 15th day of October 2014.

Mayor, City of Fairview
Mike Weatherby

**ORD 11-2014 EXHIBIT 1
CODE AMENDMENTS- Chapter 19.107
SOUTH FAIRVIEW LAKE DESIGN OVERLAY**

CHANGES IN ~~STRIKETHROUGH~~ AND UNDERLINE

Sections:

19.107.010 Purpose.

19.107.020 Applicability.

19.107.030 Permitted uses.

19.107.040 Conditional uses.

19.107.050 Development standards – Density.

19.107.060 Design standards.

19.107.010 Purpose.

This design overlay zone is intended to offer design flexibility for properties adjacent to the south side of Fairview Lake which provide a variety of housing opportunities for city residents while maintaining the established single-family residential character of the area and protecting important environmental and scenic values of the lake. If during the administration of this chapter, standards or requirements create uncertainty or ambiguity, the city shall interpret these regulations according to the intent expressed in the record for the adoption and subsequent amendment to the South Fairview Lake design overlay zone. (Ord. 6-2001 § 1)

19.107.020 Applicability.

The South Fairview Lake design overlay zone designation may be requested at the discretion of the applicant at the time of subdivision, partition, or development permit review. (Ord. 6-2001 § 1)

19.107.030 Permitted uses.

The permitted uses in the R-7.5 zone shall continue to apply in the South Fairview Lake design overlay zone. In addition to single-family detached residences (Figure 19.107.030), the following single-family residential housing types are also permitted:

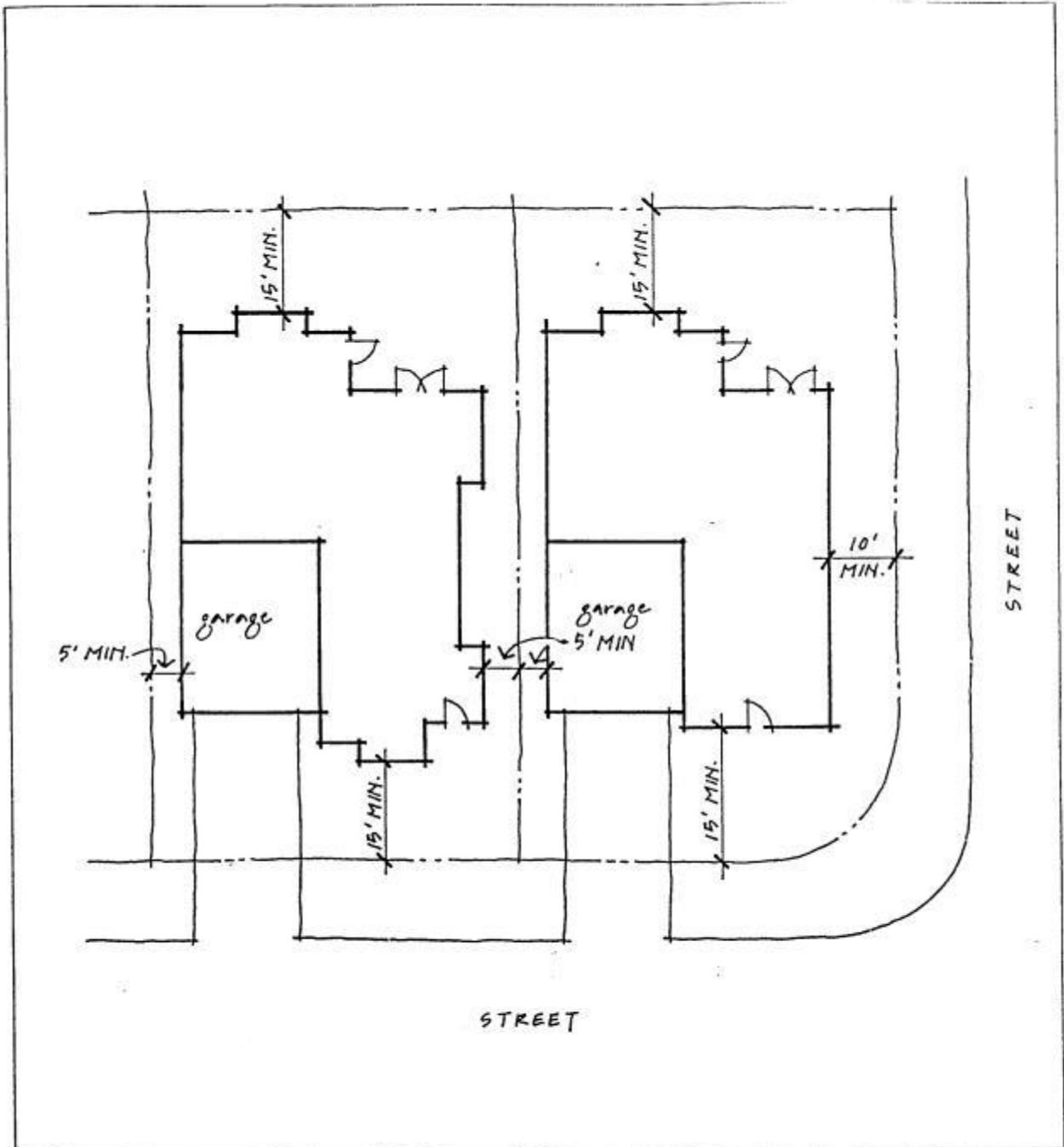
A. Charleston Row Houses. These are detached residences on relatively narrow lots. Each residence is typically located with a minimum zero-foot side yard setback on only one side of the lot and a minimum six-foot side yard setback on the opposite side of the

lot with a total of at least six feet between the structures. The front and side yards serve as the open space on the lot. Garages are at the rear of the building with access to an alley (Figure 19.107.030.A).

B. Courtyard Cluster Homes. These are detached residences developed in groups of five to seven lots. Each residence is typically located with a minimum zero-foot side yard setback on only one side of the lot, and a minimum five-foot side yard setback on the opposite side, with a total of at least five feet between the structures. The lots are clustered around a common driveway, which provides pedestrian and vehicle access to all or the majority of the homes (Figure 19.107.030.B).

C. Attached Townhomes. These are attached residences which typically have zero-foot side yard setbacks on one or both sides. Each townhome is located on a separate lot and arranged in clusters of three to seven units (Figure 19.107.030.C).

Figure 19.107.030 – Fairview Lake Way Design Overlay
Detached Single-Family Home



LEGEND 1"=20'-0"

Figure 19.107.030.A – Fairview Lake Way Design Overlay
Charleston Row House Home

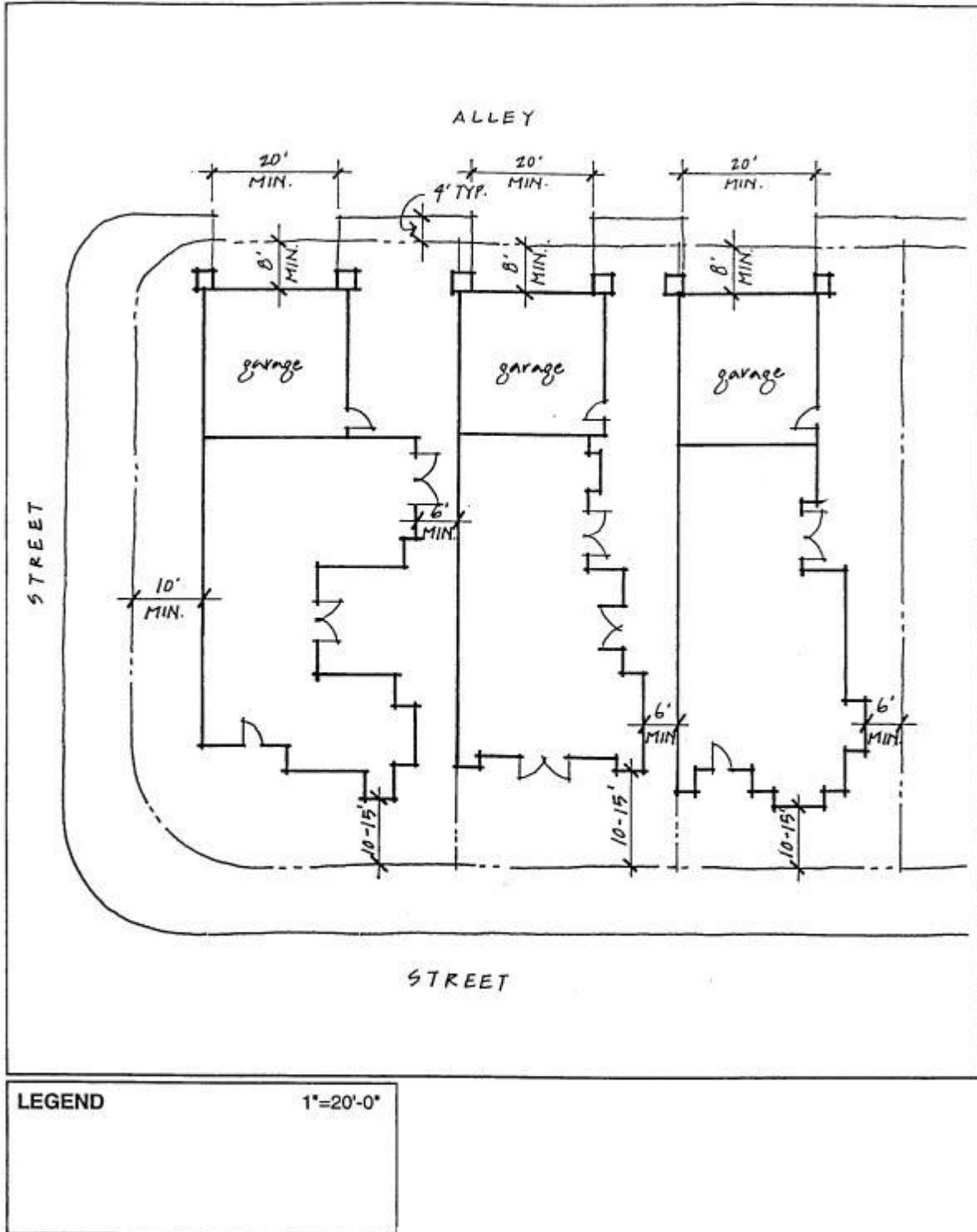
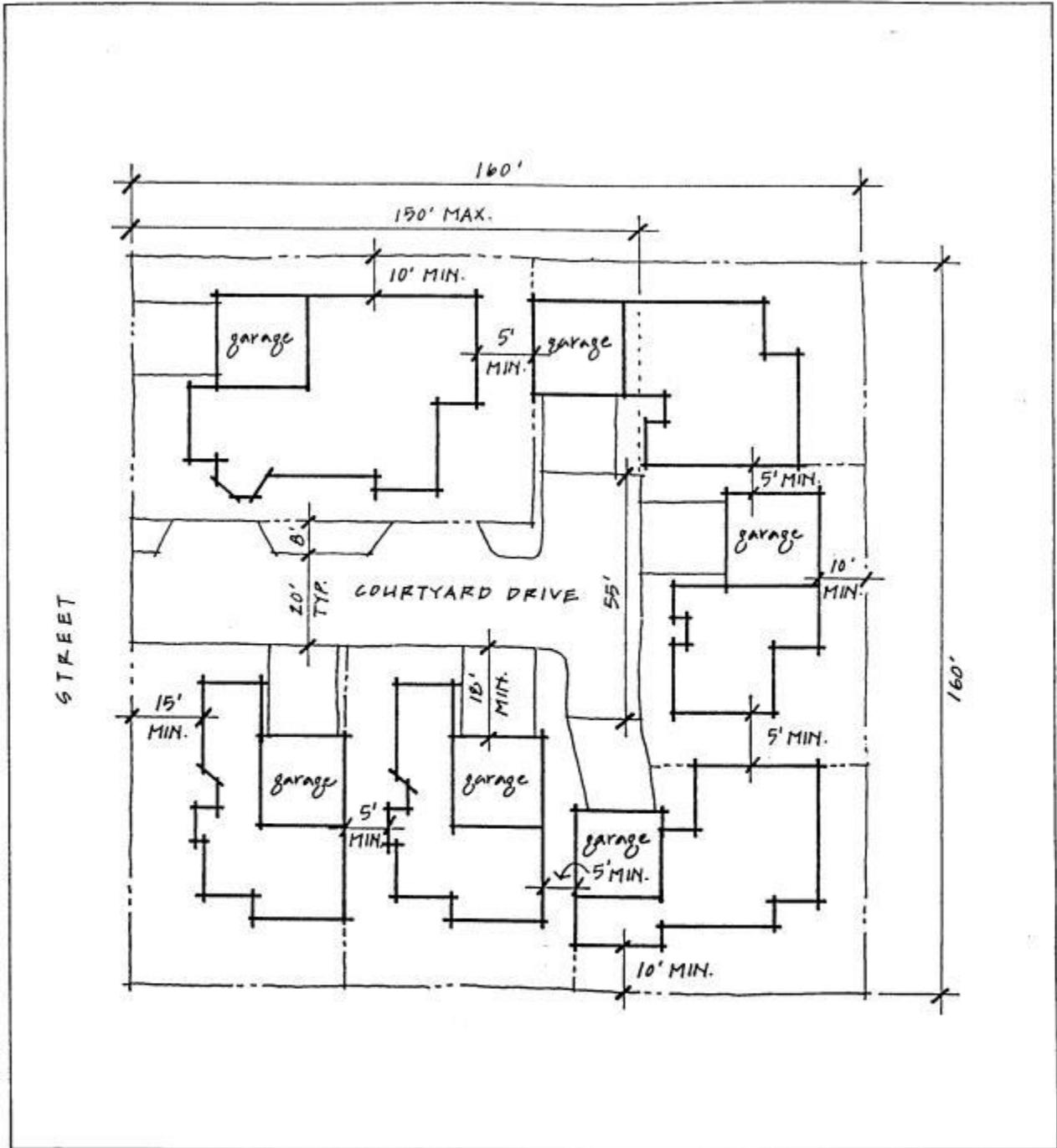
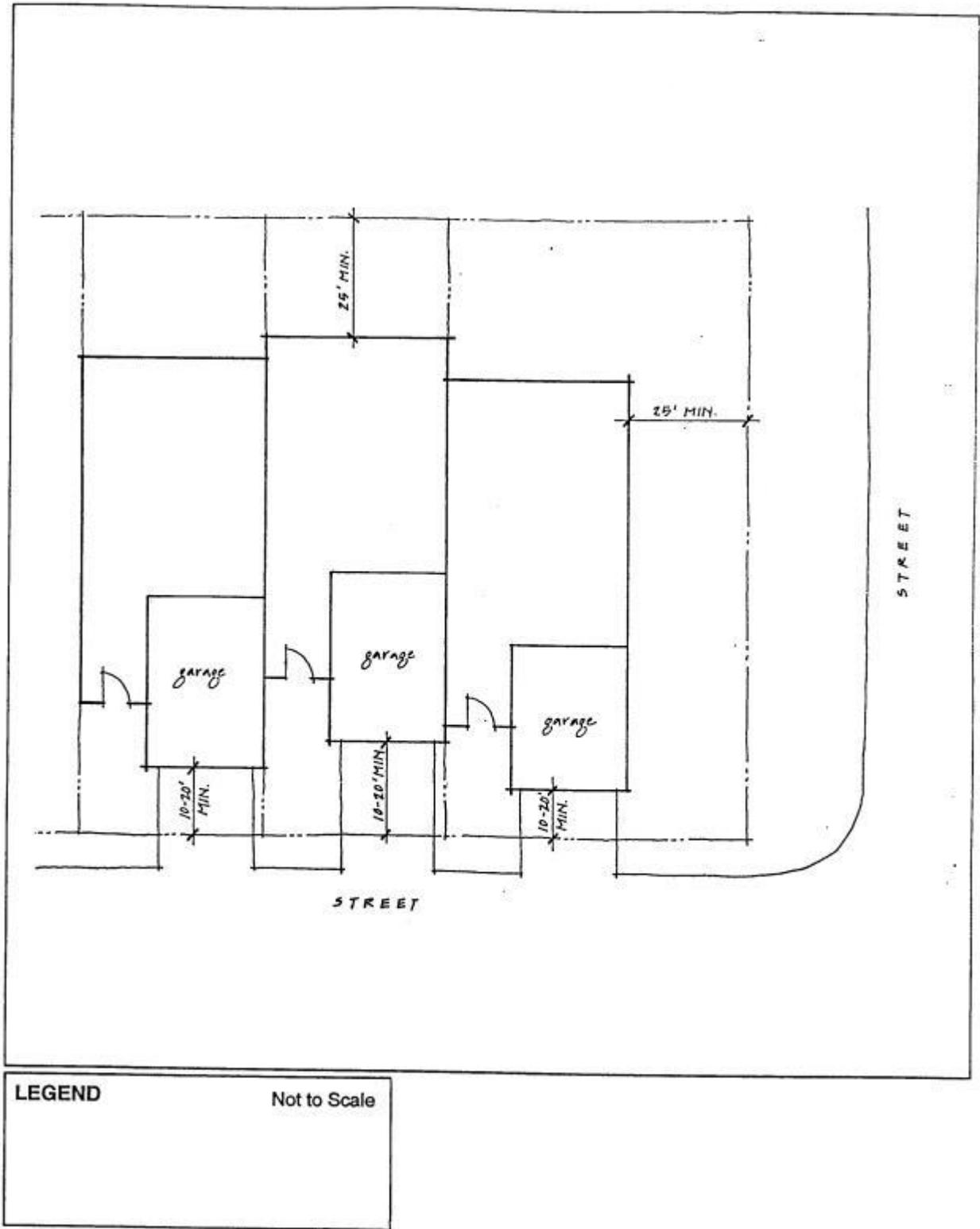


Figure 19.107.030.B – Fairview Lake Way Design Overlay
Courtyard Cluster Home



LEGEND 1"=30'-0"

Figure 19.107.030.C – Fairview Lake Way Design Overlay
Attached Townhomes



(Ord. 6-2001 § 1)

19.107.040 Conditional uses.

All conditional uses in the R-7.5 zone shall continue to be allowed as conditional uses in the South Fairview Lake design overlay zone. (Ord. 6-2001 § 1)

19.107.050 Development standards – Density.

A. Development Standards. See Table 19.107.050.A – Development Standards – Density.

Table 19.107.050.A Development Standards – Density				
Development Standards	Single-Family Detached (Figure 19.107.030)	Charleston Row House (Figure 19.107.030.A)	Courtyard Cluster Homes (Figure 19.107.030.B)	Attached Townhouses (Figure 19.107.030.C)
Density				
Minimum lot size	5,000 square feet	3,000 square feet	3,000 square feet	2,500 square feet
Maximum lot size	25,000 square feet	4,500 square feet	6,500 square feet	4,000 square feet
Minimum average lot area per unit	6,000 square feet	3,000 square feet	4,000 square feet	3,000 square feet
Lot Dimensions				
Minimum average lot width	50 feet	30 feet	50 feet	20 feet
Maximum average lot depth	80 feet	90 feet	80 feet	80 feet
Lot Coverage				
Maximum lot coverage for all structures	60%	50%	2-story structures: 50% 1-story structures: 60%	50%
Height				

Table 19.107.050.A Development Standards – Density				
Development Standards	Single-Family Detached (Figure 19.107.030)	Charleston Row House (Figure 19.107.030.A)	Courtyard Cluster Homes (Figure 19.107.030.B)	Attached Townhouses (Figure 19.107.030.C)
Maximum building height	35 feet	35 feet	35 feet	35 feet
Setbacks				
Front – minimum	15 feet	10 feet	10 feet	5 feet (architectural projections, i.e., front porches, cannot encroach into this setback)
Front – maximum	20 feet	15 feet	15 feet	20 feet
Side – minimum	5 feet	Interior – 6 feet one side only/0 feet one side only. Corner lot – 10 feet on street side, minimum building separation – 6 feet. Builders will provide a site plan that indicates setbacks on adjoining lots at the time of application.	Interior – 5 feet on one or both sides/0 feet one side only is optional. Corner and between clusters – 10 feet on street side, minimum building separation – 5 feet.	0 feet
Rear – minimum	15 feet/adjacent to Fairview Lake conservation easement	8 feet from alley	10 feet	15 feet
Garage entrance – minimum	18 feet	Alley – 8 feet	Street and common driveway – 18 feet	18-foot public street – 5 feet private street or

Table 19.107.050.A Development Standards – Density				
Development Standards	Single-Family Detached (Figure 19.107.030)	Charleston Row House (Figure 19.107.030.A)	Courtyard Cluster Homes (Figure 19.107.030.B)	Attached Townhouses (Figure 19.107.030.C)
				common driveway
Parking (off-street)	1 compact, 1 standard	1 compact, 1 standard	1 compact, 1 standard	1 compact, 1 standard

B. Allowed shall be three units per acre. (Ord. 6-2001 § 1)

19.107.060 Design standards.

The following design standards shall apply to residential developments which are subject to the South Fairview Lake design overlay zone.

A. Street System. The proposed street system shall be designed to create a safe, aesthetically pleasing, and pedestrian-oriented neighborhood. Five of the six street types are narrower than the typical city standard minimizing the physical presence of paved areas, allowing for additional landscaping adjacent to streets and sidewalks, and effectively controlling traffic speeds. Specific applications of these street designs shall be approved by the city in consideration of anticipated traffic volumes, emergency access, and on-street parking demand. All streets are intended for traffic speeds of 25 miles per hour or less. Street design requirements are summarized in Table 19.107.060 and illustrated in cross-section in Figure 19.107.060.A.

1. Standard Local Street. Standard local streets shall constitute public streets with a 58-foot right-of-way consisting of two 11-foot travel lanes, two seven-foot parking lanes, two five-foot planter strips, and two five-foot sidewalks.

2. Narrow Local Street. Narrow local streets shall constitute public streets with a 50-foot right-of-way consisting of two 10.5-foot travel lanes, one seven-foot parking lane, two five-foot planter strips, and two five-foot sidewalks.

3. Local Street with Median. The local street with a median shall constitute a public street with a 58-foot right-of-way consisting of two 11-foot travel lanes, a seven-foot median, two five-foot planter strips, two five-foot sidewalks, and two four-foot landscaped buffers. No on-street parking will be allowed, to minimize the width of the right-of-way.

4. Alley. Alleys shall constitute public streets with a 24-foot public right-of-way consisting of a 16-foot travel lane and two four-foot buffers. The buffer shall be paved along the front of the garages and the remainder shall be landscaped with ground covers, shrubs,

or a combination thereof. Alleys shall have rolled curbs with gutters draining to a storm sewer system.

5. Attached Townhomes Street. The attached townhomes street shall constitute a private street with a 35-foot-wide right-of-way consisting of two 10-foot travel lanes, two four-foot sidewalks, and two three-foot landscaped buffers. The buffer shall be landscaped with street trees, ground covers and shrubs. The rolled curbs shall have gutters draining to a storm sewer system.

6. Courtyard Street. Courtyard streets shall constitute private streets with a 28-foot right-of-way consisting of two 10-foot travel lanes, one eight-foot parking lane, and a maximum length of 150 feet. Landscape which extends from the edge of the paved surface to the house facade shall be planted with trees, ground covers and shrubs, or a combination thereof, and shall be maintained by a homeowners association.

Table 19.107.060 Street Design Requirements							
Street Types	Right-of-Way	Travel Lane	Parking	Planter Strip	Median	Sidewalk	Additional Landscaped Buffer
Standard local street	58'	11'/11'	7'/7'	5'/5'	no	5'/5'	no
Narrow local street	50'	10.5'/10.5'	7' one side	5'/5'	no	5'/5'	no
Local street with median	58'	11'/11'	no	5'/5'	6'	5'/5'	4'/4'
Alley	private tract 24'	8'/8'	no	no	no	no	4'/4'
Attached townhouses street (private)	private tract 35'	10'/10'	no	no	no	4'/4'	3'/3'
Courtyard street (private)	private tract 28'	10'/10'	8' one side	N/A	N/A	N/A	N/A

Figure 19.107.060.A – Fairview Lake Design Overlay Street Sections

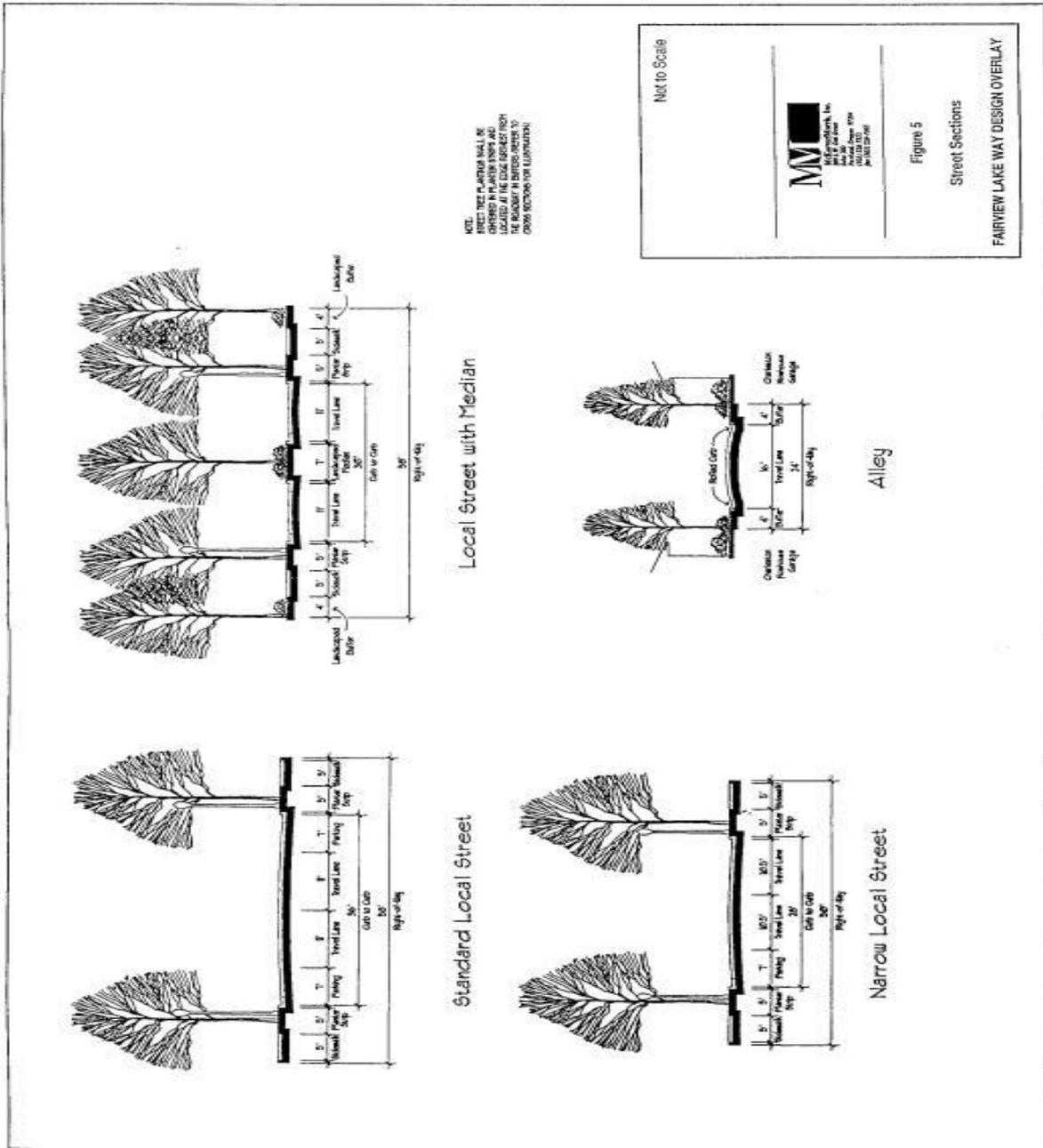
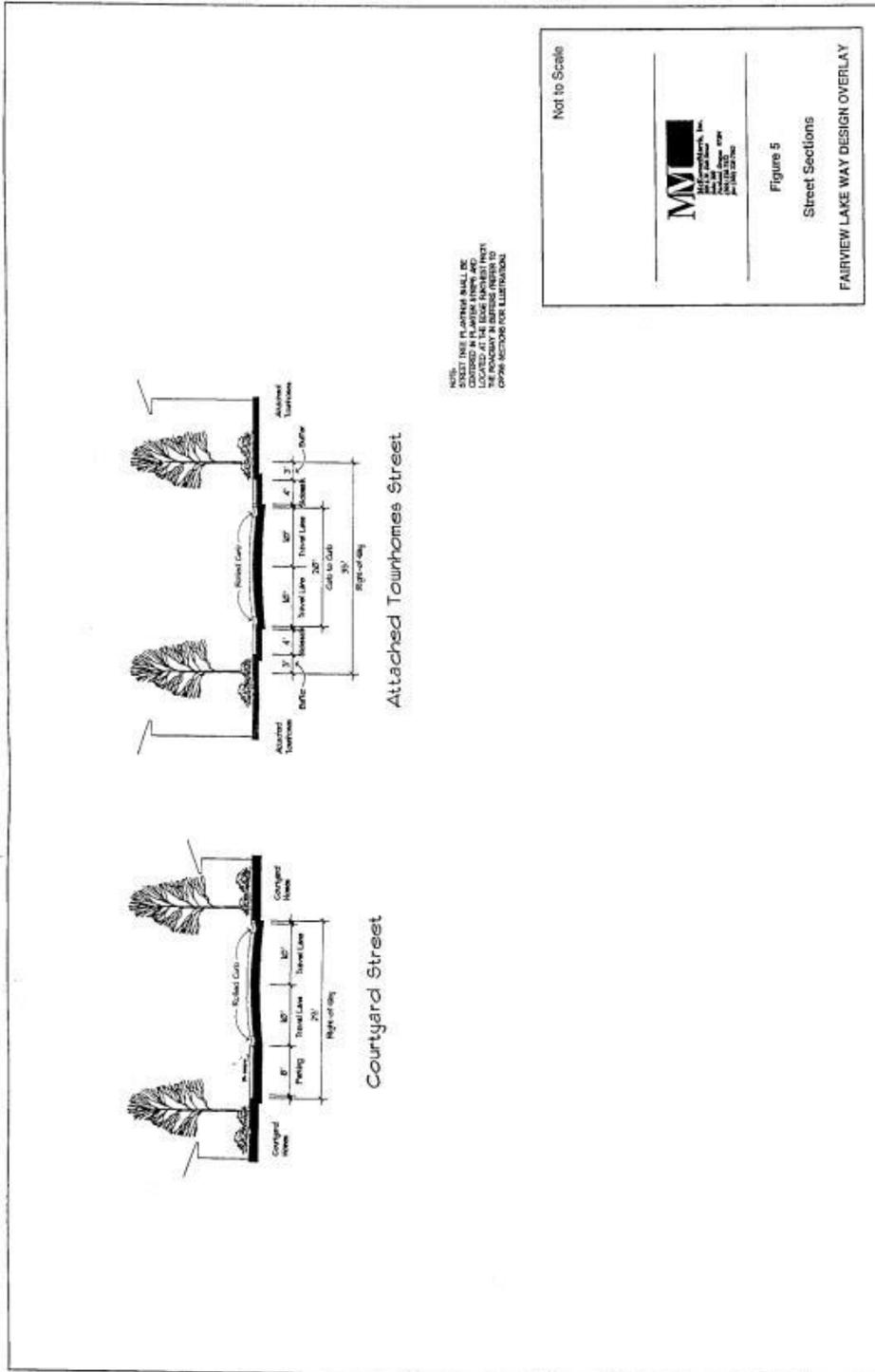


Figure 19.107.060.A – Fairview Lake Design Overlay
Street Sections (continued)



B. Fences. The maximum height for front yard and street side yard fences shall be four feet.

C. Intersections.

1. Vision Clearance Areas. Signage, structures and plant material 42 inches above grade shall be prohibited within the vision clearance area located at the intersection of streets and/or alleys. The area is defined by a triangle with two sides of the triangle extending 15 feet from the intersection.

2. Curb Extensions. Curb extensions shall be provided as required by the adopted Fairview Lake Way standards.

3. Paved Surface Details. Paving and curb cuts shall facilitate safe pedestrian crossing and meet all ADA requirements for accessibility. Textured accent paving shall be used at the main entry intersection to clearly define the pedestrian crosswalk. The pavers or pattern shall be of a level material which does not impede wheelchair accessibility or conflict with surfacing for sight-impaired individuals.

D. Landscape.

1. Landscape Plans and Installation.

a. Prior to issuance of building permits, the developer shall submit landscape plans and completion scheduled for:

i. All areas within the public right-of-way or common open spaces; and

ii. All private front yards which include lawn and/or other living ground cover.

b. Landscape materials shown on the approved plans for public right-of-way or common open space areas shall be installed prior to issuance of occupancy permits for more than 80 percent of the homes abutting these public areas.

c. Landscape materials shown on the approved plans for private front yards shall be installed prior to occupancy of the home.

2. Planter Strips.

a. All planter strips shall be a minimum of five feet wide and shall be planted with either lawn, ground cover or a combination of shrubs and ground cover such that the entire surface area is covered with plant material. Placement of plant material shall adhere to clear sight line requirements as provided in FMC 19.140.030(D), vision clearance areas.

b. Planter strips without adjacent parking shall have street trees in conjunction with low ground covers and/or shrubs to enhance visibility while still providing a psychological

and physical barrier from passing traffic. Plantings shall be predominantly evergreen year-round, provide seasonal interest with fall color or blooms, and at maturity grow within the confines of the planter strip. Planter strips with adjacent parking shall have only street trees and lawn or low ground cover which adheres to the requirements of this section.

3. Medians.

a. All medians shall be a minimum of seven feet wide and shall be landscaped with a combination of street trees, shrubs, and/or ground covers.

b. Medians shall have low plant masses near intersections for the safety of pedestrians and motorists. The remaining median area shall have taller plant masses to block lights of oncoming traffic, decrease dust and heat, and to improve the aesthetics of the roadway. Plants shall be predominantly evergreen year-round, provide seasonal interest with fall color, blooms or fruits, and at maturity stay within the confines of the median. Placement of plant material shall adhere to clear sight line requirements as provided in FMC 19.140.030(D).

4. Traffic Diverters. Traffic diverters shall be landscaped with a combination of trees, and low shrubs and/or ground covers. Plantings shall be predominantly evergreen year-round, provide seasonal interest with fall color, blooms or fruits, and at maturity stay within the confines of the traffic diverter. Placement of plant material shall adhere to clear sight line requirements as provided in FMC 19.140.030(D), Vision clearance areas.

5. Street Trees.

a. Location. Street trees are required along both sides of streets and within medians and the traffic diverters. Street trees along the street edge, excluding the attached townhouse street, shall be planted within the planter strip at a frequency of 30 feet on center unless the Community Development Director approves a different distance due to constraints such as utilities. Street trees in the buffer strip of the attached townhouse street shall be planted an average of 20 feet on center to accommodate curb cuts for driveways unless the Community Development Director approves a different distance due to constraints such as utilities. Trees proposed for medians and the traffic diverters shall be spaced according to the size of tree and design intent.

~~b. Characteristics. Street trees will provide climate control and serve as a unifying architectural feature in the streetscape. For all street types except the attached townhouse street, specimens shall be a minimum of 30 feet in height at maturity with a round, broad, oval or pyramidal canopy a minimum of 25 feet in diameter. Species selections may include: Red Sunset Maple (Acer rubrum 'Franksred'), Skyline Honeylocust (Gleditsia triacanthos 'Skycole') and Green Vase Zelkova (Zelkova serrata 'Green Vase'). For the attached townhouse street, specimens shall be a minimum of 15 feet in height at maturity with a columnar, oval, narrow, fastigiated or round canopy not~~

~~to exceed 25 feet in diameter. Species selections may include: Corinthian Linden (Tilia cordata 'Corzam'), Bowhall Maple (Acer rubrum 'Bowhall'), and Canticleer Pear (Pyrus calleryana 'Glen's Form'). Leaf color shall be light to dark. Flowering trees without heavy nonleaf litter, i.e., catkins, fruit, may also be considered.~~

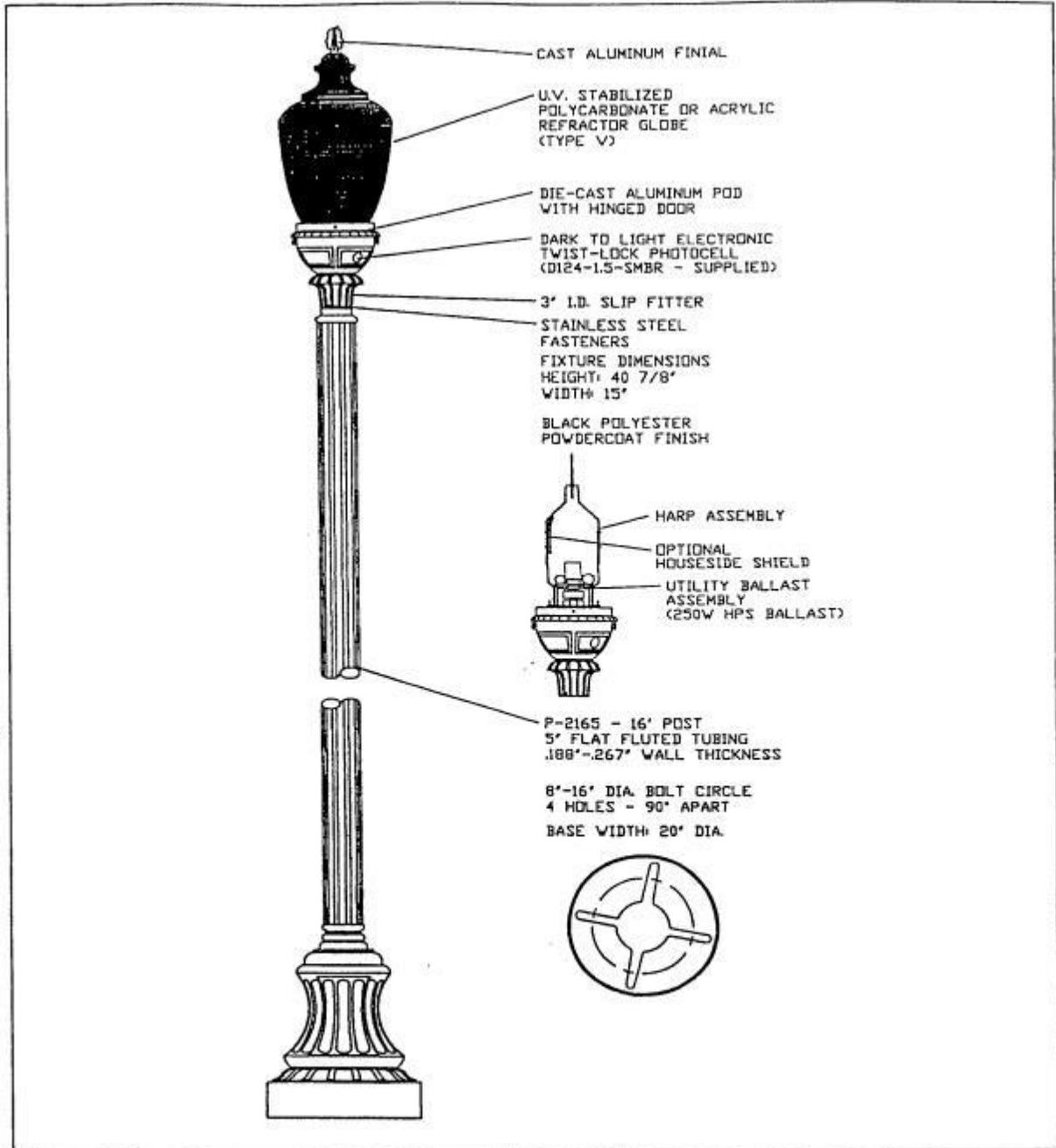
~~Specimens shall be well branched and have a two-and-one-half-inch caliper prior to installation. All trees shall be staked at planting as directed by an arborist or a landscape architect.~~

Tree Types: The type of tree to be planted shall be in accordance with the approved street tree list in the City's Sidewalk Maintenance Program Handbook.

E. Erosion Control Standards. Site erosion and pollution and sedimentation of Fairview Lake must be prevented during and after construction activities. Appropriate erosion and sedimentation control measures shall be installed as required by the city of Fairview erosion control standards.

F. Lighting. Street lighting shall be provided for all public streets in the development, excluding private courtyard streets. Ornamental lighting shall be 12-foot to 14-foot tall "acorn" style fixtures consistent in style with the city of Fairview standard (Figure 19.107.060.F). Fixtures shall be sited within the planter strip at 150-foot to 200-foot intervals to provide a traditional image and consistent level of lighting.

Figure 19.107.060.F – Fairview Lake Way Design Overlay
 Typical Street Lighting Detail



LEGEND Not to Scale

G. Irrigation for and maintenance of landscaped areas within the public right-of-way shall be provided as required by the adopted Fairview Lake Way standards.

H. Fairview Lake Conservation Easements.

1. Shoreline Conservation Easements.

a. Shoreline conservation easements shall provide a 50-foot setback from top of bank or annual mean water level, in areas where there is no bank or break in the shoreline along Fairview Lake.

b. Trees and native vegetation shall be maintained or enhanced within the easement area.

c. Structures and landscaping may occur up to the southern edge of easement.

2. Wooded, Wetland, and SEC Area Conservation Easement.

a. Easement location varies according to existing treeline and wetland vegetation and the identified SEC (Chapter 19.106 FMC, Natural Resource Regulations).

b. Structures shall maintain a 15-foot setback from the edge of the easement.

c. Landscaping may occur up to the edge of the easement.

3. Allowed Activities within Conservation Easements. Within the protected area, development and resource alteration, excluding mitigation or enhancement, shall be prohibited. Enhancement shall be required in disturbed riparian and wetland areas providing revegetation with appropriate native species only. Planting non-native, ornamental vegetation in the easement shall be prohibited. Similarly, invasive, non-native ornamental plantings shall be maintained in private landscapes to prevent encroachment.

I. Minimum Common Space Area. All developments shall provide a minimum of five percent of the net development area as common public or private open space, excluding conservation easement areas.

J. Residential Housing Design Standards. In addition to the development standards in FMC 19.107.050, the following design standards shall apply:

1. Charleston Row Houses.

a. Stories: two.

b. Garages: access only to the alley.

c. Main entry: oriented toward the street or front corner of the house with a usable front porch.

d. Minimum building separation: six feet.

2. Courtyard Cluster Homes.

a. Stories: minimum of one one-story home for clusters of up to five homes and two one-story homes for clusters of six or seven homes.

b. Garages: one direct driveway access to the public street for each cluster.

c. Main entry: one main entry oriented to the public street for each cluster.

d. Minimum building separation: six feet.

3. Townhomes.

a. Stories: two.

b. Garages: direct driveway access to a private or public street.

c. Main entry: oriented toward a private or public street with a usable front porch or entry which has an equal or lesser front yard setback than the garage. (Ord. 3-2012 § 6; Ord. 6-2001 § 1)

**ORD 11-2014 Exhibit 2
CODE AMENDMENTS- Chapter 19.140
VILLAGE GENERAL STANDARDS**

CHANGES IN ~~STRIKETHROUGH~~ AND UNDERLINE

Sections:

- 19.140.010 Pedestrian ways and trails.
- 19.140.020 On-site pedestrian ways for commercial, multifamily (four or more units), institutional and office development.
- 19.140.030 Streets.
- 19.140.040 Minimum required off-street parking requirements.
- 19.140.050 Street trees.
- 19.140.060 Erosion control standards.
- 19.140.070 Landscape standards.
- 19.140.080 Repealed.
- 19.140.090 Bicycle parking.
- 19.140.100 Blank wall standard.
- 19.140.110 Repealed.

19.140.010 Pedestrian ways and trails.

A. Pedestrian ways shall be provided from subdivisions and multifamily developments to:

1. Commercial facilities and public amenities such as existing or planned transit stops or facilities, school, park, church, day care center, children's play area, outdoor activity areas, plazas, library, or similar facility;
2. A dead-end street, loop, or mid-block where the block is longer than 600 feet; and
3. Streets or pedestrian ways which abut the site.

B. Except as provided in FMC 19.140.020(B) and (H), pedestrian ways shall include at least a 10-foot right-of-way with a minimum five-foot wide paved surface and shall have a maximum slope of five percent wherever practical.

C. Pedestrian ways shall be illuminated so that they may be safely used at night and shall be direct with at least one end of the pedestrian way always visible from any point along the pedestrian way.

D. The maximum height of a fence along such a facility shall not exceed four feet.

E. Bollards or other similar treatments may be required in order to prevent cars from entering the pedestrian way.

F. All pedestrian ways shall be landscaped in conformance with FMC 19.140.070.

G. Pedestrian ways depicted on the Fairview Village trail system plan shall be constructed in conjunction with development of the same lot or parcel consistent with the provisions of Chapter 19.155 FMC. (Ord. 6-2001 § 1)

19.140.020 On-site pedestrian ways for commercial, multifamily (four or more units), institutional and office development.

A. Pedestrian ways shall provide direct connections to other portions of the site such as buildings, parking lots, child play areas and outdoor pedestrian-oriented activity areas such as plazas, resting areas and viewpoints.

B. Pedestrian ways shall be constructed of concrete or paving bricks and be at least five feet in unobstructed width. ADA certified curb ramps shall be provided where pedestrian ways intersect with streets.

C. Pedestrian ways shall be illuminated throughout the length with pedestrian scale lighting not to exceed 20 feet in height having a minimum of 0.5 foot-candle power average illumination and oriented so as not to shine directly upon adjacent residences.

D. Pedestrian ways and pedestrian areas shall be separated from automobile and truck circulation, parking, and loading whenever possible.

E. Where a pedestrian way crosses driveways, parking areas, or similar vehicle maneuvering areas, the pedestrian way shall be readily identifiable through the use of elevation changes, speed bumps, different paving materials, or other similar methods.

F. Where the pedestrian way is parallel and adjacent to an auto travel lane, the safety of the pedestrian shall be assured through a raised path or shall be separated from the auto travel lane by a raised curb, bollards, landscaping or other physical barrier. If a raised path is used, the ends of the raised portions shall be equipped with ADA certified curb ramps.

G. Pedestrian ways shall provide a direct connection between all new development and adjacent streets. Stub connections shall be required between developments and neighboring sites not yet developed or capable of being further subdivided or partitioned.

The connections shall be completed when the neighboring site is developed.

H. Pedestrian ways bordering parking spaces shall be at least seven feet in unobstructed width or a minimum of five feet in unobstructed width when concrete bumpers, bollards, curbing, landscaping, or other similar improvements are provided which prevent parked vehicles from obstructing the pedestrian way.

I. A reduction in the number of pedestrian connections may be granted by the review authority based on a determination that reducing the number of connections would not result in an increase in out of direction pedestrian travel from the street to any main building entrance. (Ord. 6-2001 § 1)

19.140.030 Streets.

Streets within Fairview Village shall comply with the design standards outlined in Figure V-3, following Chapter 19.155 FMC.

A. Cul-de-sacs are permitted only when topographic conditions or existing or planned street patterns preclude future extension of streets. The maximum cul-de-sac radius shall be 40 feet.

B. All alleys shall constitute public streets with a minimum right-of-way of 16 feet.

C. Intersection dimensions should be minimized to reduce pedestrian crossing distances and to reduce vehicle speeds. At intersections in all Fairview Village zones, curb radii shall be 15 feet with clear zone radii of 25 feet. (Figure V-4, following Chapter 19.155 FMC.)

D. Vision Clearance Areas.

1. Structures or signs may not be located within a vision clearance area as defined in subsection (D)(2) of this section. Support structures for a sign may be located in a vision clearance area only if the combined total width is 12 inches or less and the combined total depth is 12 inches or less.

2. Location of Vision Clearance Areas. Vision clearance areas are triangular-shaped areas located at the intersection of any combination of streets and/or alleys. The sides of the triangle extend 15 feet from the intersection of the vehicle travel areas. The height of the vision clearance area is from 42 inches above grade to 10 feet above grade (see Figure V-2, following Chapter 19.155 FMC). This standard shall not apply to public safety signage and street identification signage. (Ord. 6-2001 § 1)

19.140.040 Minimum required off-street parking requirements.

All base zone parking standards apply (see Chapter 19.164 FMC) except where expressly written otherwise.

A. Residential.

1. One-, two- and three-unit dwelling structures: two space per dwelling unit.
2. Attached dwellings containing four or more dwelling units including dwelling units above retail uses: one and one-half spaces per dwelling unit.

B. Commercial.

1. a. Supermarkets: one space per 250 square feet of floor area.
- b. Banks, offices: one space per 330 square feet of floor area.
- c. Barber shop/beauty parlor: one space per 250 square feet of floor area.
- d. Eating or drinking establishment: one space per 100 square feet of floor area.
- e. Retail trade: one space per 500 square feet of floor area.
- f. General office: one space per 500 square feet of floor area.
2. Parking Stall and Aisle Dimensions.
 - a. Parking lot aisles shall have a minimum width of 24 feet.
 - b. Standard parking lot stalls shall have a minimum width of nine feet and a minimum depth of 18 feet.
 - c. Compact-vehicle parking stalls shall have a minimum width of eight feet and a minimum depth of 16 feet.

C. Joint Use. Off-street parking required by this code for any use shall not be considered as providing parking spaces for any other use except where a joint use facility exists. Such a facility, defined by legal instrument such as an easement, shall contain no less than the total number of spaces as determined individually by user, except that fewer spaces may be permitted where uses on adjoining sites have different hours of operation and the same parking spaces or loading berths can serve both without conflict. A determination of the extent, if any, to which joint use will achieve the purposes of this chapter shall be made by the planning director, who may require submission of a site development plan and a parking demand study or other data necessary to reach a decision.

D. On-Street Parking. In the VC, VMU, and VO zones, on-street parking which borders the property frontage shall apply toward satisfying the parking standards in this section.

E. In the event that a change in commercial use is proposed different than that in place as of March 9, 2004, a Type II modification of conditions permit shall be required. The permit will be granted upon demonstration that the requirements of subsection B of this section are met by the proposed use. (Ord. 4-2004 § 3; Ord. 6-2001 § 1)

19.140.050 Street trees.

A. Location. Street trees are required along both sides of all collector streets and local streets within the Village adjacent to new development and on at least one side of streets with a higher classification. The spacing requirement shall be on average one tree per 30 linear feet unless the Community Development Director approves a different distance due to constraints such as utilities, rights-of-ways, etc. Along collector streets or streets with a higher classification, metal grating, nonmortared brick, grasscrete, or similar material shall be installed at grade over the planting area around street trees, or raised planters shall be constructed to prevent soil compaction and damage to the trunk. Planting strips or tree wells are required along all remaining streets.

B. ~~Characteristics.~~ Tree Types: ~~The type of tree characteristics of the street trees to be planted shall be in accordance with the approved street tree list in the City's Sidewalk Maintenance Program Handbook. consistent with the criteria shown in Figure V-5, following Chapter 19.155 FMC. (Ord. 6-2001 § 1)~~

19.140.060 Erosion control standards.

The site must be contoured, planted, or developed to prevent erosion, pollution, and sedimentation into adjacent natural resource areas within six weeks of the issuance of the certificate of occupancy. Erosion control techniques must meet city of Fairview erosion control handbook standards. (Ord. 6-2001 § 1)

19.140.070 Landscape standards.

Where the area to be landscaped is less than 30 feet deep, the requirement shall be on average one tree per 30 linear feet. Where the area is 30 feet deep or greater, the requirement is one tree per 800 square feet and either two high shrubs or three low shrubs per 400 square feet of landscaped area. The shrubs and trees may be grouped; provided, that ground cover plants must fully cover the remainder of landscaped area. The landscaping details for the various, respective sectors of Fairview Village shall be presented in a landscape plan in design review or in a development permit application.

A. Trees may be deciduous or evergreen. Deciduous trees at the time of planting must be fully branched, have a minimum diameter of two inches, measured five feet above the ground, and have a minimum height of 10 feet. Evergreen trees at the time of planting must be fully branched and a minimum of six feet in height.

B. Low shrubs must form a continuous screen three feet high and 95 percent opaque year-round. High shrubs must form a screen six feet high and 95 percent opaque year-round.

C. Groundcover plants shall be installed on all areas where slopes are five to one or steeper and must be installed at a minimum of 18 inches on center and four-inch pots at time of planting.

D. All required groundcover plants and shrubs must be of sufficient size and quantity to meet the required standards within three years of planting. The use of mulch must be confined to areas underneath plants and shall not be considered a substitute for groundcover plants.

E. The required materials are shown in Figure V-6, following Chapter 19.155 FMC. (Ord. 6-2001 § 1)

19.140.080 Fairview Creek and Clear Creek conservation easements.

Repealed by Ord. 3-2012. (Ord. 6-2001 § 1)

19.140.090 Bicycle parking.

A. Number Required.

1. Multifamily dwelling: one space per unit (.25 per unit if occupancy restricted to 55 years or older).

2. Commercial use classifications: five percent of the requirement for automobile parking spaces, except for the following classifications, which are exempt:

a. Animal sales and service.

b. Auto-related uses.

c. Warehousing – Wholesale and distribution.

B. Bicycle Parking Space and Aisle Dimensions.

1. Uncovered spaces shall be at least six feet long and two feet wide.

2. Covered spaces shall be at least seven feet long and two feet wide.

3. A five-foot-wide aisle is required adjacent to each row of bicycle parking.

C. Required bicycle parking racks shall be located no further than the closest automobile parking space from the major building entrance.

D. When more than seven bicycle parking spaces are required, 50 percent of the spaces shall be covered.

E. When more than 15 covered bicycle parking spaces are required, 50 percent of the covered spaces shall be enclosed and offer a high level of security (i.e., bicycle lockers or a locked cage or room with locking facilities inside, to provide safe long-term parking). (Ord. 6-2001 § 1)

19.140.100 Blank wall standard.

Windows must occupy at least 50 percent of the length and 25 percent of the ground level wall area. Ground level wall areas include all exterior wall areas up to nine feet above the finished grade. The window requirement applies to the ground level of exterior building walls which abut sidewalks, plazas, or other public open spaces. Walls may be recessed three feet in maximum increments of 15 feet with landscaping in lieu of windows. Recess landscaping shall obscure the wall year-round. (Ord. 6-2001 § 1)

19.140.110 Signs.

Repealed by 2-2010. (Ord. 8-2009 § 2; Ord. 6-2001 § 1)

**ORD 11-2014 Exhibit 3
CODE AMENDMENTS- Chapter 19.155
VILLAGE TRAIL SYSTEM PLAN**

CHANGES IN ~~STRIKETHROUGH~~ AND UNDERLINE

Sections:

19.155.010 Purpose.

19.155.020 Location – Generally.

19.155.030 Design.

19.155.040 Construction prior to occupancy.

19.155.050 Dedication.

19.155.060 Operation – Maintenance.

19.155.070 Location – Specifically.

19.155.010 Purpose.

The public recreational trail requirements are intended to increase recreational opportunities within the city of Fairview, help create a pleasant, aesthetically pleasing urban environment, and provide consistent standards for trail development. (Ord. 6-2001 § 1)

19.155.020 Location – Generally.

The trail system will generally occur within the wetland and upland park/open space areas, and other selected alignments within the developed portions of the Village. The pedestrian ways and/or trail system will provide internal and external connections between the wetland and upland park/open space areas, other Village open spaces, and to adjacent commercial and residential development. (Ord. 6-2001 § 1)

19.155.030 Design.

The trail system shall be designed to provide multiple access points for the public. The trail surface itself and the associated access points shall satisfy ADA requirements and be suitable for walking, running, and bicycling. (Ord. 6-2001 § 1)

19.155.040 Construction prior to occupancy.

The portion of the trail system located on the site for new development shall be constructed by the developer prior to occupancy. The city of Fairview shall extend system development charge credit to the developer equal to the land costs and actual costs for trail and park development as referenced in the city parks recreation/open space master plan. (Ord. 6-2001 § 1)

19.155.050 Dedication.

The trail system and associated pedestrian ways and access points within the wetland and upland park/open space areas shall either be dedicated to the city, an easement granted to the city, or funds provided to the city in lieu of dedication. A legal instrument or mechanism shall be developed that will allow the city to acquire park/open space sites through dedications or to receive funds in lieu of dedications that will allow the city to acquire park/open space sites in adjacent areas, in accordance with the city's parks and recreation/open spaces master plan. (Ord. 6-2001 § 1)

19.155.060 Operation – Maintenance.

Trails, pedestrian ways and access points within Fairview Village shall be operated and maintained by the city. (Ord. 6-2001 § 1)

19.155.070 Location – Specifically.

The location and distribution of planned parks and open spaces are shown on Figure V-10, following Chapter 19.155 FMC. (Ord. 6-2001 § 1)

Figure V-1 – Fairview Village Proposed Land Use Plan

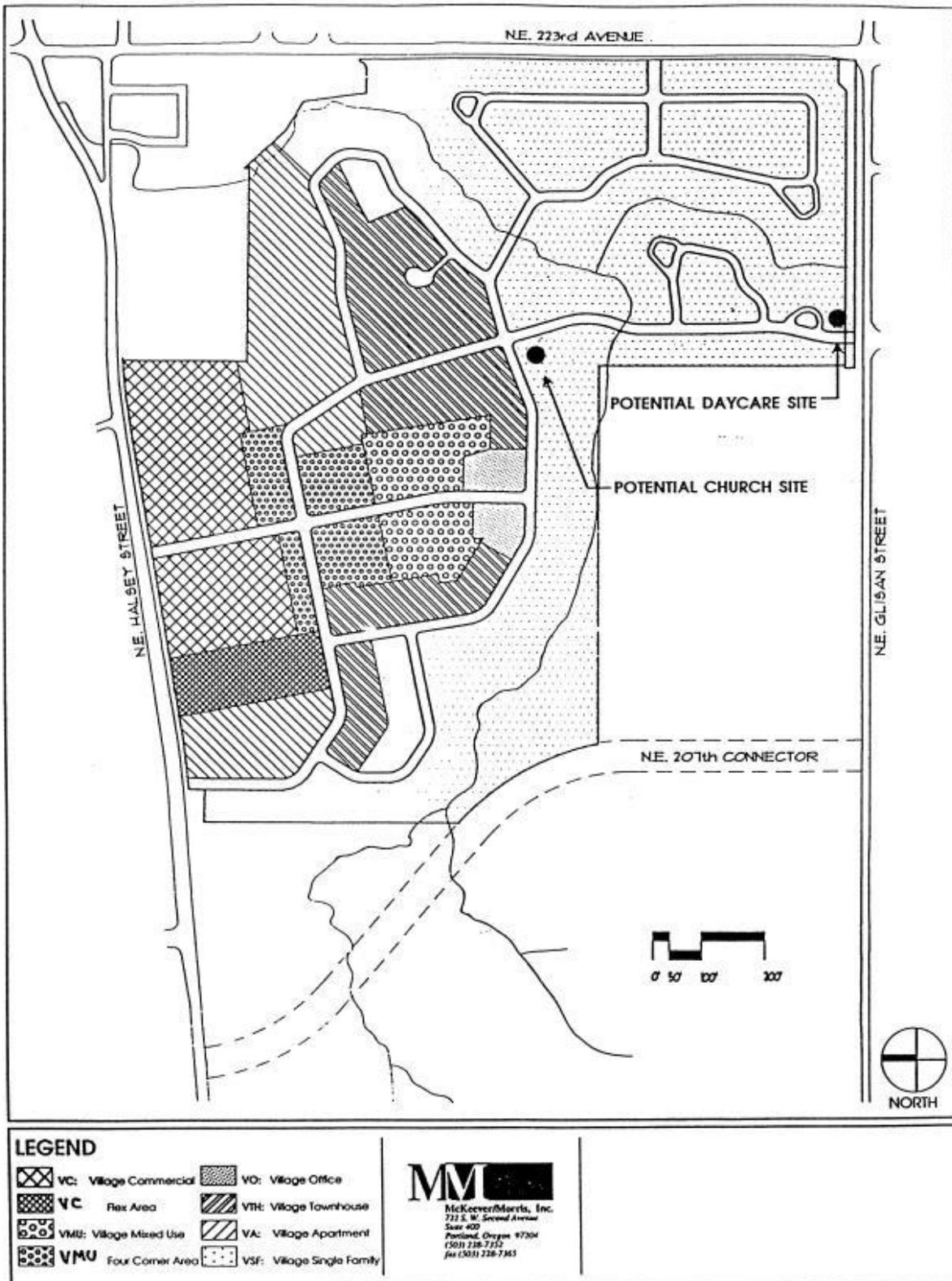


Figure V-2 – Fairview Village Vision Clearance

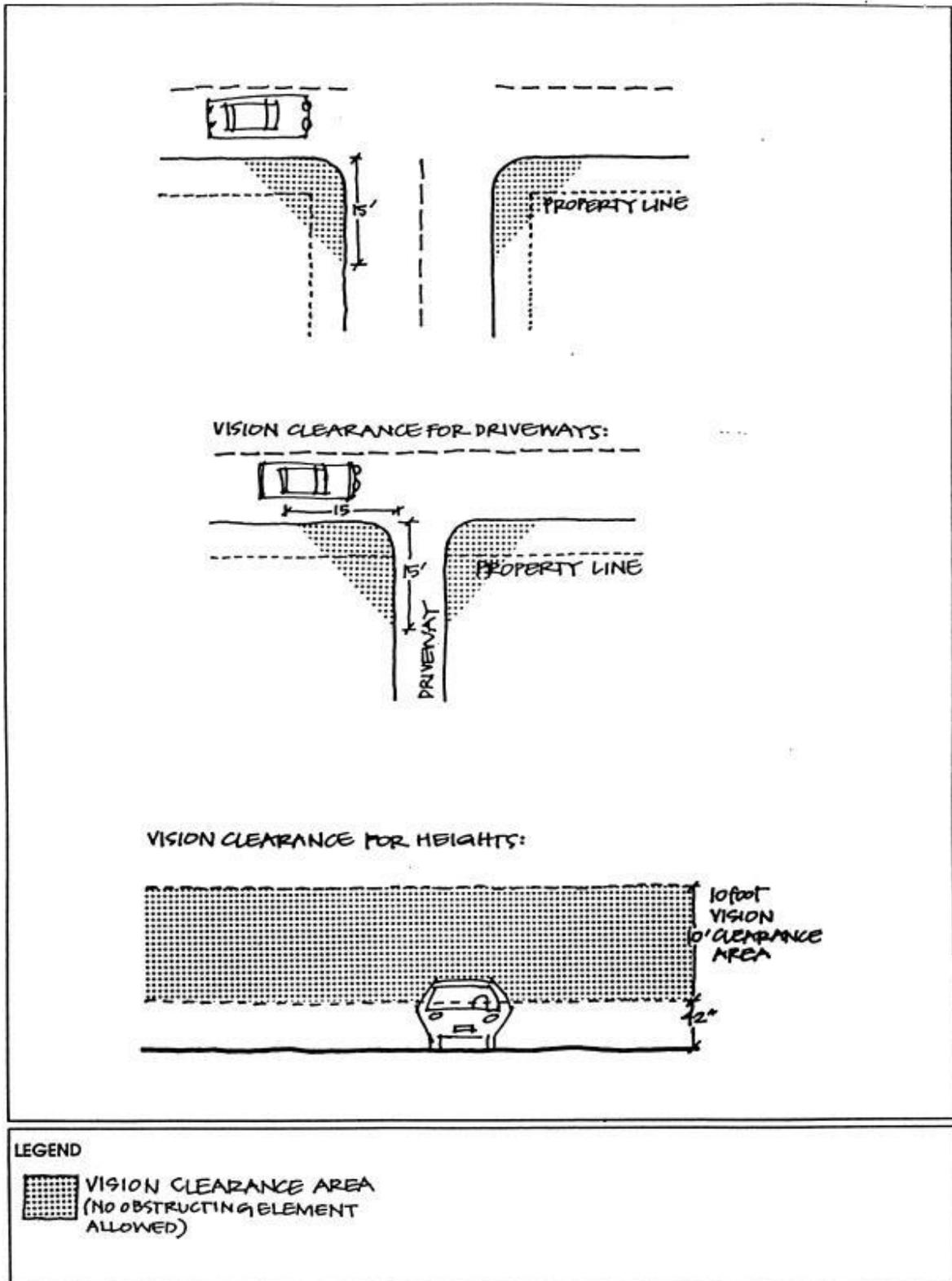


Figure V-3 – Fairview Village Street Plan and Section

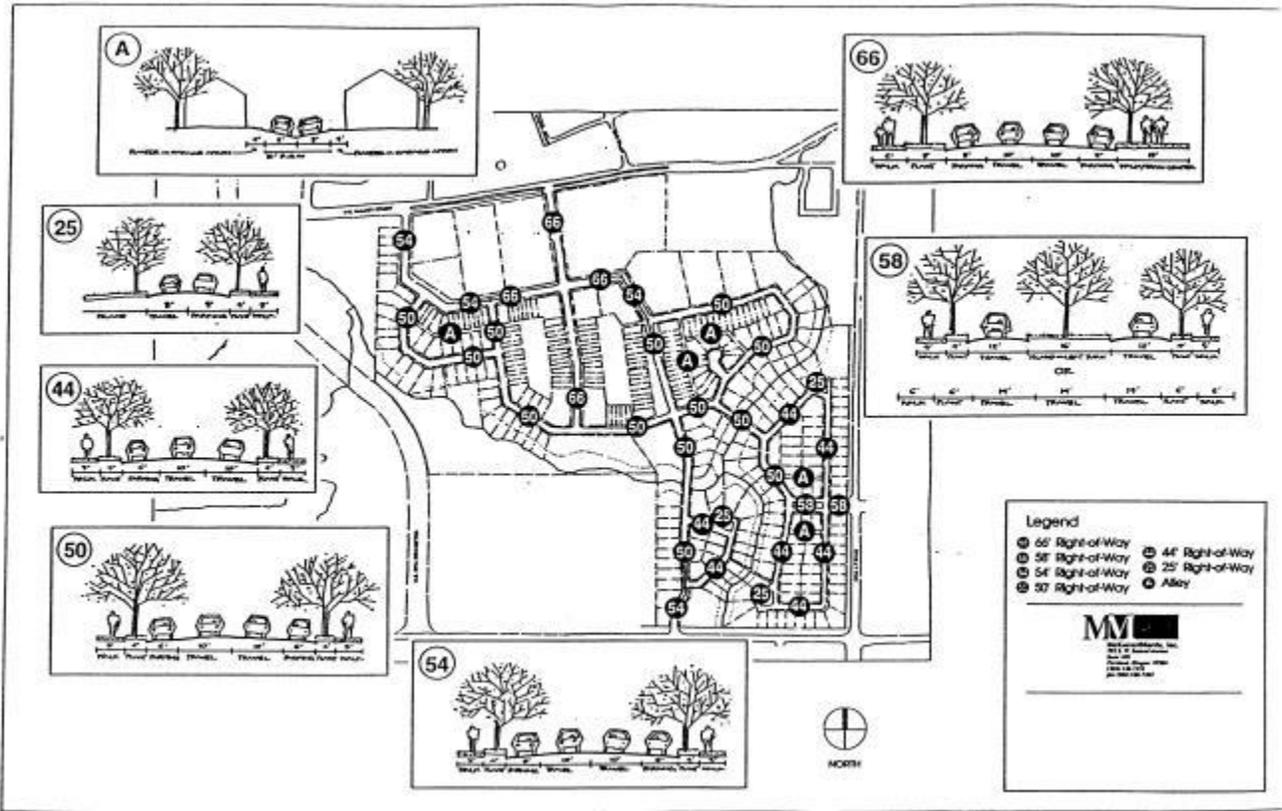


Figure V-4 – Fairview Village Intersection Dimensions

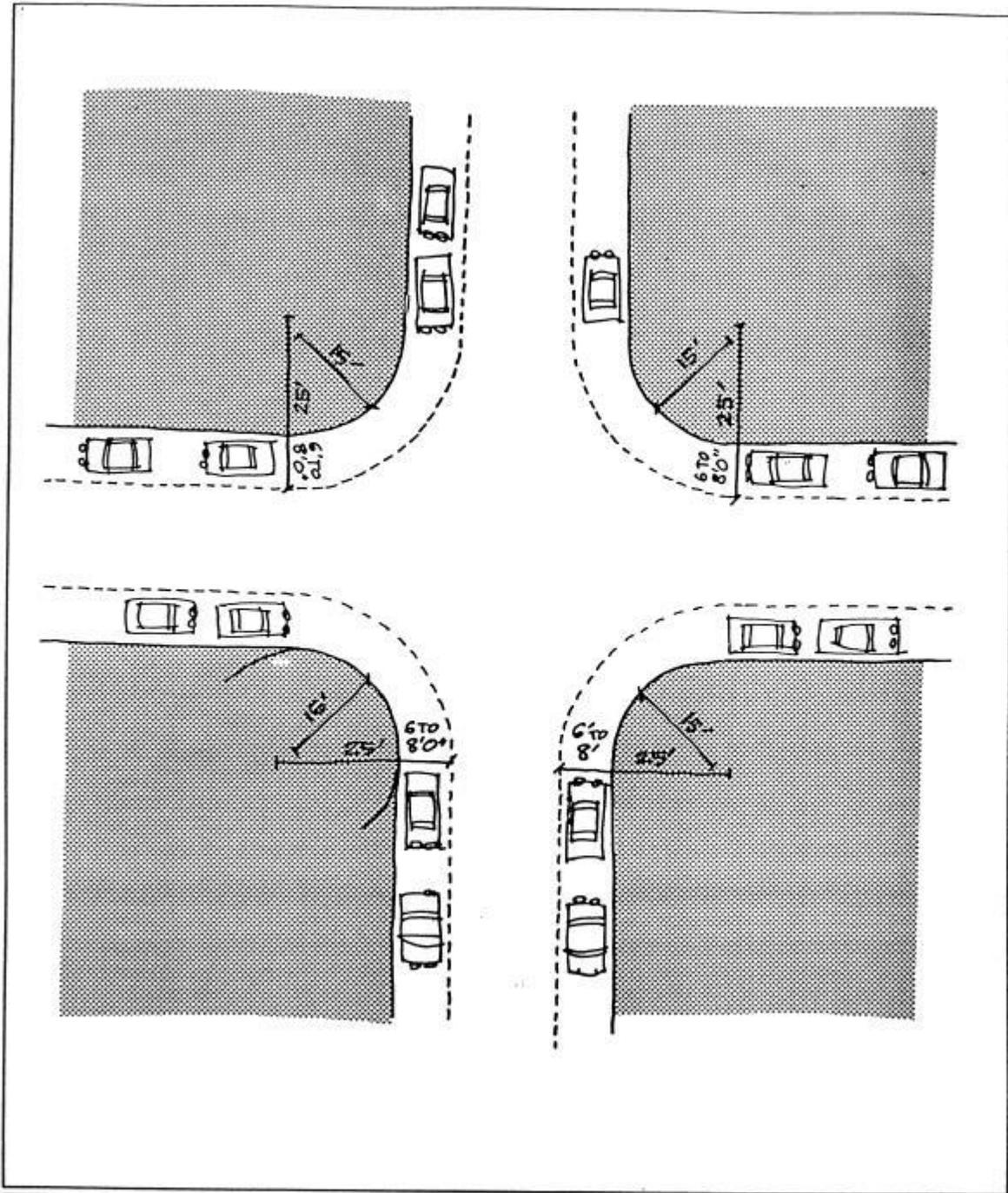


Figure V-5 — Fairview Village Street Matrix and Selection

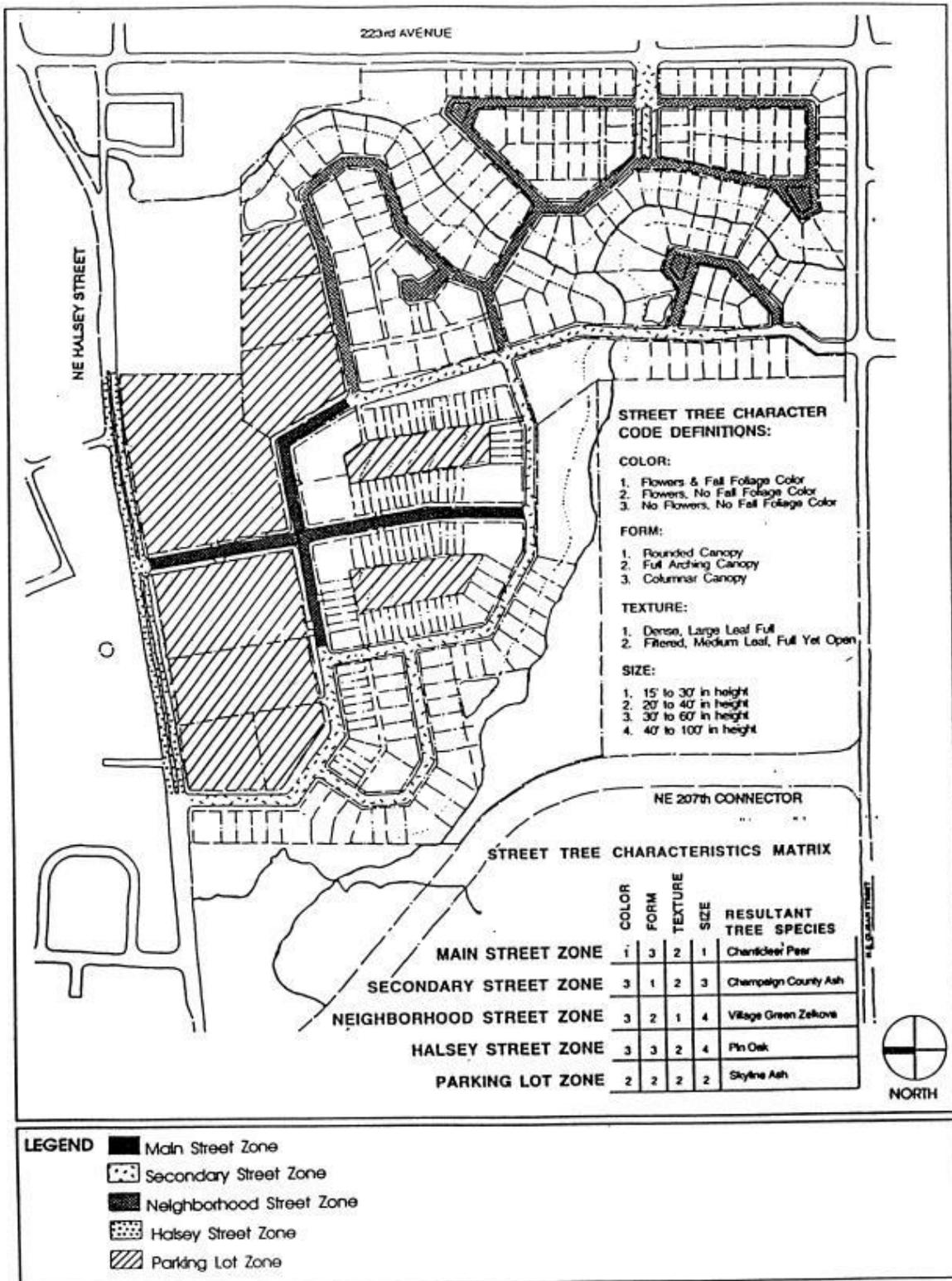


Figure V-6 – Fairview Village Plant List

FAIRVIEW VILLAGE PLANT LIST							
Scientific Name	Common Name	Habitat Type					
		Wetland	Riparian	Forest	F. Slope	Thicket	Grass
<i>Abies grandis</i>	Grand Fir						
<i>Acer macrophyllum</i>	Big-leaf Maple						
<i>Alnus rubra</i>	Red Alder						
<i>Arbutus menziesii</i>	Madrone						
<i>Cornus nuttallii</i>	Western Flowering Dogwood						
<i>Crataegus douglasii douglasii</i>	Black Hawthorn (wetland form)						
<i>Crataegus douglasii suksdorfii</i>	Black Hawthorn (upland form)						
<i>Fraxinus latifolia</i>	Oregon Ash						
<i>Populus trichocarpa</i>	Black Cottonwood						
<i>Pseudotsuga menziesii</i>	Douglas Fir						
<i>Quercus garryana</i>	Garry Oak						
<i>Salix fluviatilis</i>	Columbia River Willow						
<i>Salix lasiandra</i>	Pacific Willow						
<i>Salix scouleriana</i>	Scouler Willow						
<i>Salix sitchensis</i>	Sitka Willow						
<i>Thuja plicata</i>	Western Red Cedar						
<i>Tsuga heterophylla</i>	Western Hemlock						
<i>Acer circinatum</i>	Vine Maple						
<i>Amelanchier alnifolia</i>	Western Serviceberry						
<i>Berberis aquifolium</i>	Tall Oregongrape						
(Mahonia a)							
<i>Berberis nervosa</i>	Dull Oregongrape						
(Mahonia n)							
<i>Cornus stolonifera</i>	Red-osier Dogwood						
<i>Corylus cornuta</i>	Hazelnut						
<i>Holodiscus discolor</i>	Ocean-spray						
<i>Oemleria cerasiformis</i>	Indian Plum						
<i>Physocarpus capitatus</i>	Pacific Ninebark						
<i>Prunus virginiana</i>	Common Chokecherry						
<i>Pyrus fusca</i>	Western Crabapple						
<i>Rhododendron macrophyllum</i>	Western Rhododendron						
<i>Ribes sanguineum</i>	Red Currant						
<i>Rosa nutkana v. nutkana</i>	Nootka Rose						
<i>Rosa posocarpa</i>	Swamp Rose						
<i>Rubus spectabilis</i>	Salmonberry						
<i>Sambucus cerulea</i>	Blue Elderberry						
<i>Sambucus racemosa</i>	Red Elderberry						
<i>Spiraea douglasii</i>	Douglas's Spirea						
<i>Symphoricarpos albus</i>	Common Snowberry						
<i>Vaccinium ovatum</i>	Evergreen Huckleberry						
<i>Alisma plantago-aquatica</i>	American Water-plantain						
<i>Alopecurus geniculatus</i>	Water Foxtail, March Foxtail						
<i>Asplenium trichomanes</i>	Maidenhair Spleenwort						
<i>Athyrium filix-femina</i>	Lady Fern						
<i>Azolla filiculoides</i>	Duckweed						
<i>Bidens cernua</i>	Nodding Beggars-lick						
<i>Bidens frondosa</i>	Leafy Beggars-lick						
<i>Bidens vulgata</i>	Western Beggars-lick						
<i>Blechnum spicant</i>	Dear Fern						
<i>Brasenia schreberi</i>	Water-shield						
<i>Carex aperta</i>	Columbia Sedge						
<i>Carex deweyana</i>	Dewey's Sedge						
<i>Carex obnupta</i>	Slough Sedge						
<i>Carex rostrata</i>	Beaked Sedge						
<i>Carex stipata</i>	Sawbeak Sedge						
<i>Castilleja levisecta</i>	Golden Indian-paintbrush						
<i>Delphinium leucophaeum</i>	Pale Larkspur						
<i>Delphinium menziesii</i>	Menzies' Larkspur						
<i>pyramidale</i>							

continued

continued

Scientific Name	Common Name	Habitat Type						
		Wetland	Riparian	Forest	F. Slope	Thicket	Grass	Rocky
<i>Delphinium nuttallii</i>	Nuttall's Larkspur							
<i>Deschampsia cespitosa</i>	Tufted Hair grass							
<i>Dicentra formosa</i>	Pacific Bleedingheart							
<i>Dryopteris austriaca</i>	Spreading Wood Fern							
<i>Echinochloa crusgalli</i>	Large Barnyard-grass							
<i>Eleocharis palustris</i>	Creeping Spike-rush							
<i>Epilobium glandulosum</i>	Common Willow-wood							
<i>Epilobium watsonii</i>	Watson's Willow-wood							
<i>Equisetum hyemale</i>	Common Scouring-rush							
<i>Equisetum palustre</i>	Marsh Horsetail							
<i>Festuca rubra v. rubra</i>	Red Fescue-grass							
<i>Galium aparine</i>	Cleavers							
<i>Galium trifidum</i>	Small Bedstraw							
<i>Glyceria occidentalis</i>	NW Manna-grass							
<i>Gnaphalium palustre</i>	Marsh Cudweed							
<i>Juncus balticus</i>	Baltic Rush							
<i>Juncus bufonius</i>	Toad Rush							
<i>Juncus effusus</i>	Common Rush							
<i>Juncus ensifolius</i>	Dagger-leaf Rush							
<i>Juncus tenuis</i>	Slender Rush							
<i>Lomatium utriculatum</i>	Common Lomatium							
<i>Lupinus bicolor</i>	Two-color Lupine							
<i>Lupinus latifolius</i>	Broadleaf Lupine							
<i>Lupinus laxiflorus</i>	Spurred Lupine							
<i>Lupinus lpidus</i>	Prarie Lupine							
<i>Lupinus micranthus</i>	Field Lupine							
<i>Lupinus microcarpus</i>	Chick Lupine							
<i>Lupinus polyphyllus</i>	Large-leaved Lupine							
<i>Lupinus rivularis</i>	Stream Lupine							
<i>Lupinus sulphureus</i>	Sulfur Lupine							
<i>Lysichitum americanum</i>	Skunk Cabbage							
<i>Mentha arvensis</i>	Field Mint							
<i>Montia perfoliata</i>	Miner's Lettuce							
<i>Nuphar polysepalum</i>	Yellow Water-lily							
<i>Oenanthe samentosa</i>	Pacific Water-parsley							
<i>Oxalis oregana</i>	Oregon Oxalis							
<i>Oxalis trillifolia</i>	Trillium-leaved Wood-sorrel							
<i>Penstemon ovatus</i>	Broad-leaved Penstemon							
<i>Poa pratensis</i>	Kentucky Bluegrass							
<i>Polygonum amphibium</i>	Water Smartweed							
<i>Polygonum hydropiperoides</i>	Common Waterpepper							
<i>Polypodium glycyrrhiza</i>	Licorice Fern							
<i>Polypodium hesperium</i>	Licorice Fern							
<i>Potentilla palustris</i>	Marsh Cinquefoil							
<i>Ranunculus flammula</i>	Creeping Buttercup							
<i>Rumex occidentalis</i>	Western Dock							
<i>Sagittaria latifolia</i>	Wapato							
<i>Scirpus acutus</i>	Hardstem Bulrush							
<i>Scirpus microcarpus</i>	Small-fruited Bulrush							
<i>Scirpus validus</i>	Softstem Bulrush							
<i>Smilacina racemosa</i>	Western False Solomon's Seal							
<i>Solidago canadensis</i>	Canada Goldenrod							
<i>Stachys palustris v. pilosa</i>	Swamp Hedge-nettle							
<i>Thelypteris nevadensis</i>	Wood Fern							
<i>Trillium chloropetalum</i>	Giant Trillium							
<i>Trillium ovatum</i>	Western Trillium							
<i>Typha latifolia</i>	Common Cattail							
<i>Viola adunca</i>	Early Blue Violet							
<i>Viola glabella</i>	Johnny jump up							
<i>Viola palustris</i>	Marsh Violet							
<i>Viola sempervirens</i>	Evergreen Violet							

Figure V-8 – Fairview Village Monument Entry Signage

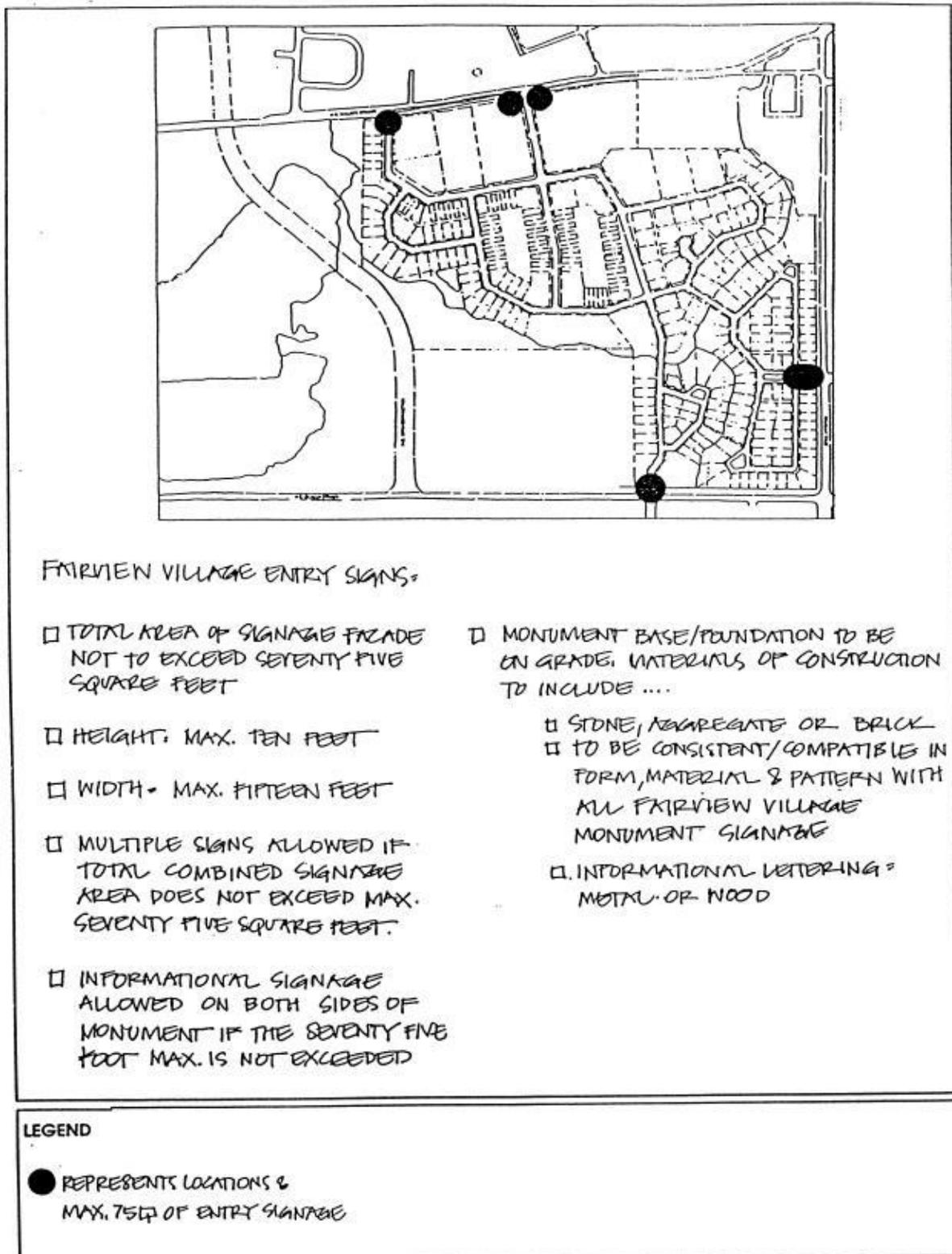


Figure V-9 – Fairview Village VA and Institutional Signage

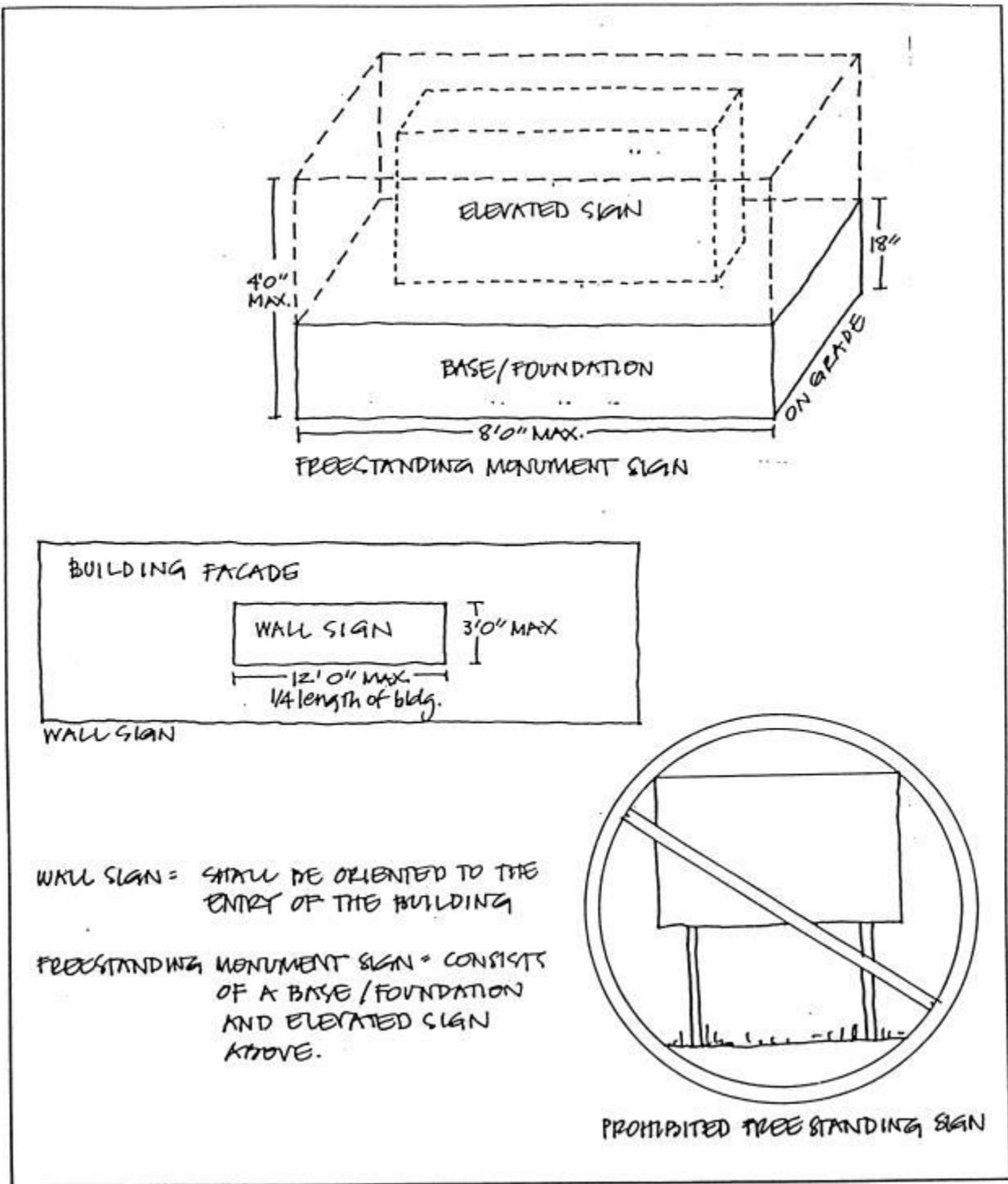
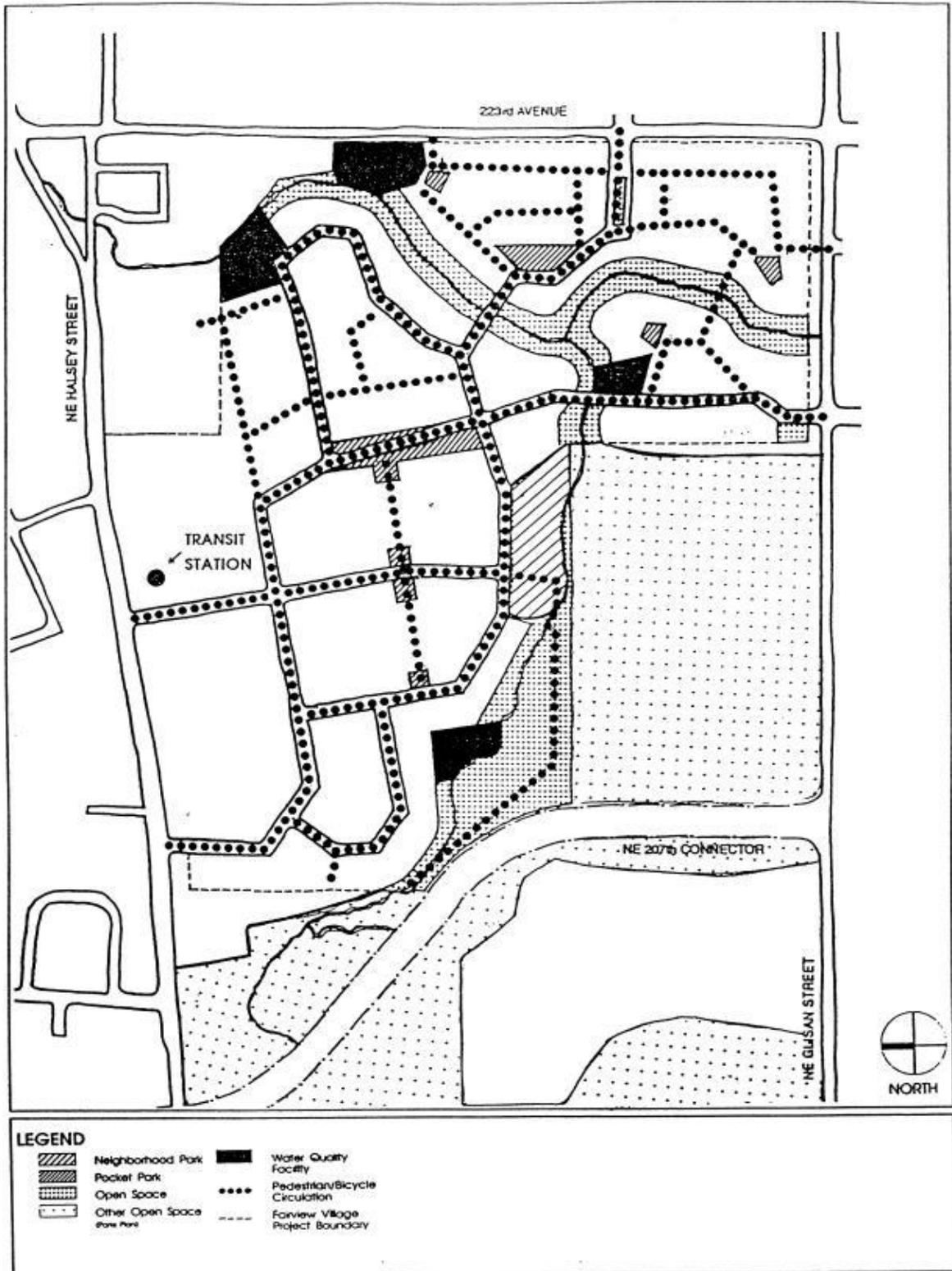


Figure V-10 – Fairview Village Parks, Open Spaces and Circulation



RESOLUTION
(42-2014)

**A RESOLUTION OF THE FAIRVIEW CITY COUNCIL AMENDING THE
SIDEWALK MAINTENANCE PROGRAM HANDBOOK**

WHEREAS, the City desires to provide a safe area for pedestrian travel throughout the City; and

WHEREAS, sidewalks not only improve the appearance of neighborhoods, they provide a safe separation between vehicular and pedestrian traffic; and

WHEREAS, properly maintained sidewalks allow safe utilization of walkways by all citizens of the community and guests; and

WHEREAS, sidewalks are sometimes found to be defective and the City desires to adopt clear and objective criteria to assess defects and to implement a program that provides an expeditious and fair process to remedy sidewalk defects;

WHEREAS, the City adopted a Sidewalk Maintenance Program Handbook by City of Fairview Council Resolution 48-2013;

WHEREAS, the Fairview Planning Commission recommended updating the Sidewalk Maintenance Program Handbook to include tree types for the South Fairview Lake Design Overlay and Fairview Village Zoning Designations;

NOW, THEREFORE, BE IT RESOLVED BY THE FAIRVIEW CITY COUNCIL AS FOLLOWS:

- Section 1: The City Council hereby adopts a Sidewalk Maintenance Program and Sidewalk Maintenance Program Handbook which is attached as Exhibit "A".
- Section 2: This resolution is and shall be effective from and after its passage by the City Council.

Resolution adopted by the City Council of the City of Fairview, this 1st day of October, 2014.

Mayor, City of Fairview
Mike Weatherby

Date of Signing

ATTEST:



SIDEWALK MAINTENANCE HANDBOOK

Policy and Operating Guidelines



City of Fairview, Public Works
City Hall, 2nd Floor— 1300 NE Village Street
Fairview, OR 97024
503-665-9320



Sidewalks Make Good Neighbors

Sidewalks have a way of tying together a neighborhood. Realtors will attest that where sidewalks are good, the neighborhood becomes a more desirable place to live. Sidewalks serve so many purposes; recreation space for joggers, children with tricycles and pull toys; an informal meeting place for neighbors; and an encouragement for people to make more use of the most basic form of transportation – walking.

Be proud of your sidewalks. Take care of them and enjoy them.

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Program Goal

The objectives of the Sidewalk Maintenance Program are to:

- Protect the general public from injury by identifying defects and ensuring their timely repair.
- Protect the general taxpayer from the expense of liability claims due to personal injury.
- Protect individual property owners by notifying them that a hazardous condition exists and assisting with correction of that hazard.
- Protect the general public's investment in the transportation system, which includes sidewalks, driveways, corners, and curbs.
- Manage the maintenance of sidewalks, driveways, and curbs in a way that protects street trees and other desirable vegetation whenever possible.

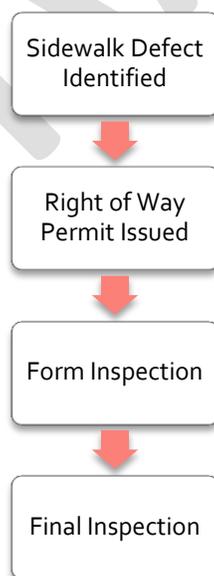
Handbook Outline

This handbook contains an overview of the sidewalk maintenance program, a detailed manual regarding sidewalk maintenance, the street tree planting guidelines, and the list of approved street trees. It should contain all the information you need to look after your sidewalks and street trees.

If you have questions about sidewalks, street trees or this handbook please call 503-665-9320. All inspection requests should go to 503-674-6244.

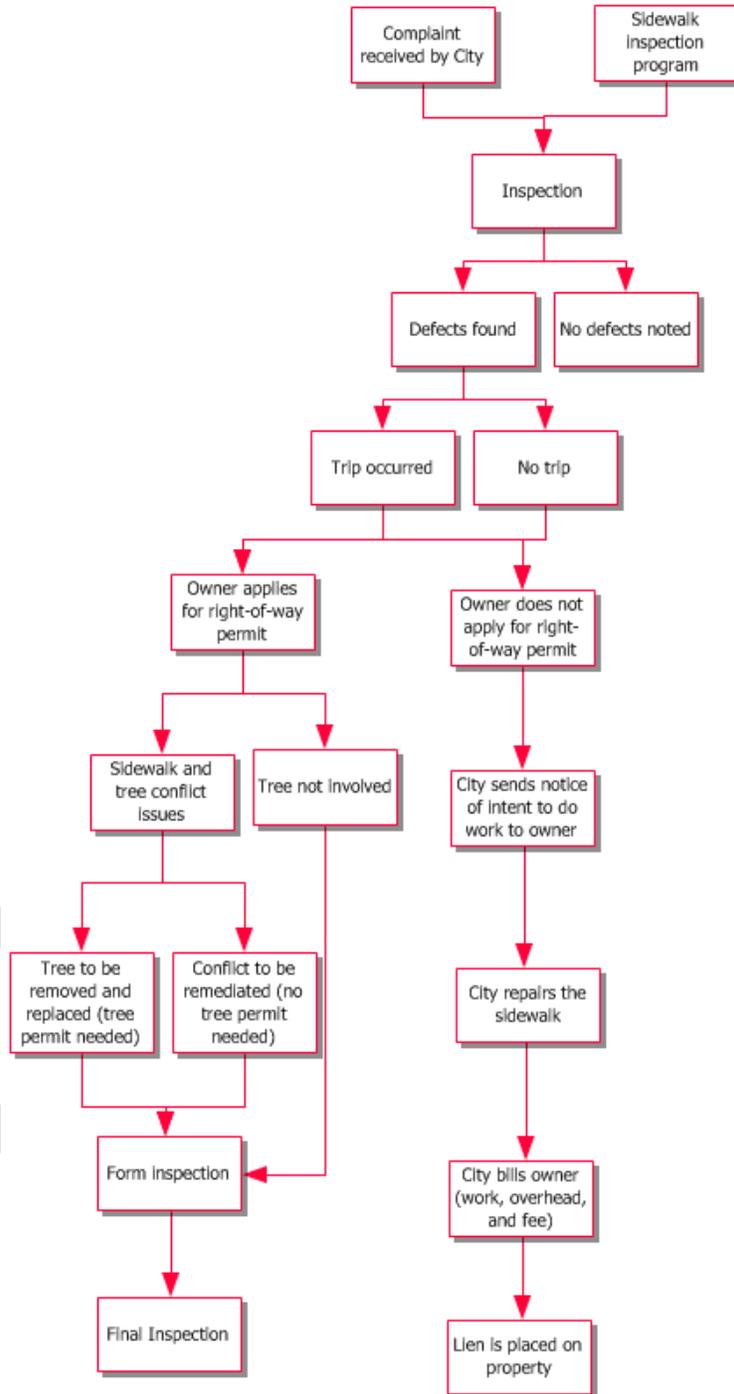
Sidewalk Maintenance Procedure

Procedure Overview





Detailed Procedure





Inspection Program

The goal of the Sidewalk Maintenance Program is to identify sidewalk defects and assist the property owner with the repair process. Public Works representatives are primarily looking for things that cause people to trip and fall, such as “stub toes” where the sidewalk is raised. Other defects may include holes, spalled or chipped areas, wide cracks, deterioration, and areas that are damaged by tree roots. The graphics shown on the following page provide examples of these types of damage.

To assist the Public Works representatives in the identification of defects, guidelines have been established for consideration when inspecting sidewalks. The inspection guidelines apply to the city street right-of-way where there are sidewalks. The inspector will identify the hazard and the area needing to be replaced to ensure a good and substantial repair.

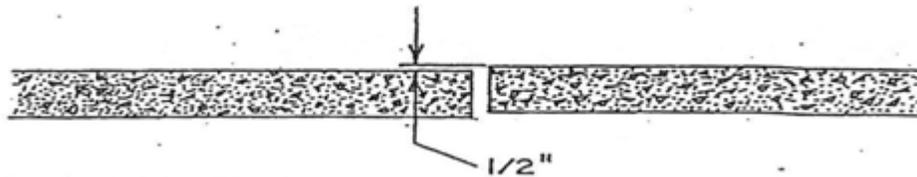
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Inspection Criteria and Guidelines

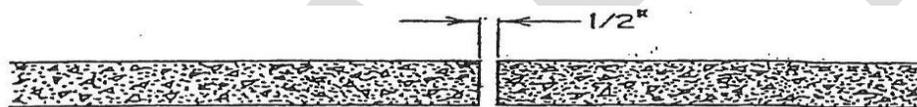
Stub Toes (Step Separation- Elevated Guide)

All "Stub Toes" latitudinal as well as longitudinal in the City right-of-way that are hazardous shall be identified for repair. A guideline of 1/2 inch rise for all sidewalk and driveway areas will be used in determining if a stub toe is hazardous.



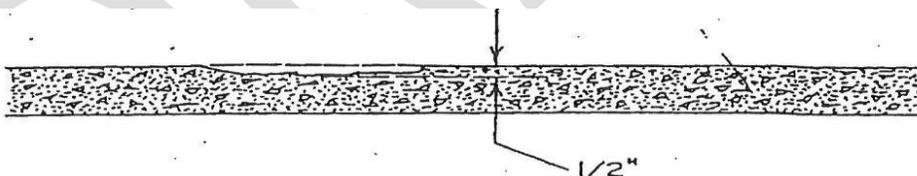
Openings (Holes, Wide Cracks, Concrete Separations)

All openings in the City right-of-way that are considered hazardous shall be identified for repair. A guideline of 1/2 inch width and 1/2 inch depth will be used in determining if an opening is hazardous.



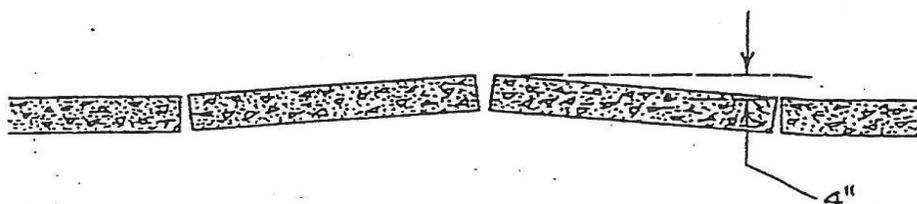
Spalled/Chipped Concrete

Spalled sidewalks and driveways, where the concrete is chipped to the point of creating a trip hazard shall be identified for repair. A guideline of 1/2 inch width and 1/2 inch depth will be used in determining if a spalled area is hazardous.



Raised Areas

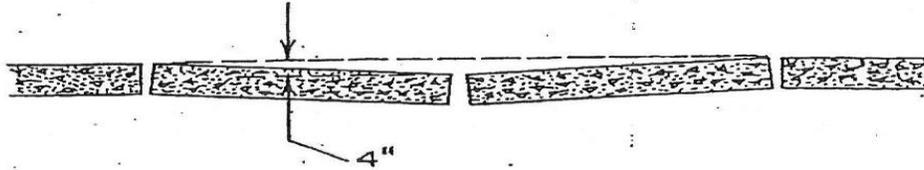
Raised sidewalk and driveways shall be identified when the raised area is hazardous. A guideline, that the uppermost point of the raised area being greater than 4 inches from grade, shall be used in determining when a raised area is considered hazardous.





Sunken Areas

Sunken sidewalk and driveways shall be identified when it causes a trip hazard or has sunken 4" below original grade.



Root Damage at Adjoining Properties

Where a tree root has lifted the sidewalk or driveway at the property line, both properties will be notified to maintain grade. Both properties are notified because repairing only one property would create a stub toe at the property line. Each notice would have a notation about the adjoining property. To maintain quality of work, the properties should be repaired together but could be repaired separately by installing a transition area.

Corners

Guidelines for identifying and replacement of corners shall be the same as the guidelines used for sidewalks and driveways. City corners installed by City crews will comply with ADA specifications.

Curbs

Sidewalk inspections will identify curbs that need replacement during routine inspections. Curbs will be identified when they present a hazard, are generally in a deteriorated state, or no longer will facilitate or control drainage.

Curbs are the property owner's responsibility to repair when they are in combination with the sidewalk and/or have been damaged by tree roots or willfully damaged (driven on, etc.)

Curbs that are separated from the sidewalk with a parking strip/planting area, and that have not been willfully damaged are the responsibility of the City.

Trees

Trees are another one of the City's great assets. If the street tree needs to be removed and replaced prior to replacing the sidewalk it is important to be sure the replacement tree is the right size for the planter strip.

Only trees listed on the approved street tree list or part of a codified planting plan may be planted in the public right-of-way and shall follow the City of Fairview street tree planting guidelines. Approval to plant a tree that is not on the approved street tree list or **on an approved** codified planting plan must be obtained from the Public Works Director.

It is important to contact the City or check the Fairview Municipal Code before replacing the trees to be sure there isn't an existing planting code in place for your neighborhood. If there is (generally speaking in Fairview Village and Lakeshore), then the City code takes precedence over this handbook and you must plant according to the plan.



Complaints

Information received regarding hazardous sidewalk conditions in the City right-of-way at a specific location will be transferred to the Public Works Department. Hazardous sidewalk conditions may be reported to Public Works by calling 503-665-9320, or by reporting a concern on the City's website, www.fairvieworegon.gov and filling out the report form.

A sidewalk inspection will be performed within 5 working days of the complaint, and the property owner(s) for the address(es) in which the hazard is at will be notified and given 60 days to repair the sidewalk. If the complaint is based upon someone having tripped and fallen, the property owner will be given 20 working days to begin repairs. In addition, a sidewalk inspection will be performed in the general area for defects and notification sent accordingly. A guideline for the "general area" is the block face involved with the initial complaint.

Following the inspection of a property, if defects are found, a Sidewalk Repair Notice will be created, stating the date of inspection, legal property description, and a photo from the inspection. Property owners will be given a minimum of 60 days, with a possible 30 day extension by property owner request, to make repairs. If the property owner does not make the repairs City contracted crews will perform the repair work.

Notification

Property owners will be provided with the original copy of the Sidewalk Repair Notice; a form letter outlining the Sidewalk Maintenance Program, and "The Sidewalk Handbook" brochure. This information will be mailed to registered owners of identified properties as shown on current county tax records.

Public Works representatives are available to schedule appointments and meet with property owners to identify and explain the specific reasons for the identified hazard(s). Using the established guidelines, the Public Works Representative can assist the property owner by outlining repair alternatives so that the hazard may be corrected in the most economical method.

Sidewalk Repairs

Property owners who have received a Sidewalk Repair Notice have the following options:

Property Owner Repair

As the property owner you can do the job yourself if you have experience working with concrete or similar home maintenance projects. The property owner may eliminate identified defects in the following manner:

- (1) Remove whole squares to full depth and replace with concrete. Skin patching is not an acceptable repair method, as it does not provide a good and substantial repair.
- (2) Grinding of stub toes raised 1 inch or less with the approval and guidance of the Public Works representative.

Contractor Repair

A contractor hired by the property owner may eliminate posted defects in the following manner:

- (1) All contractors are required to have a current license and bond through the Oregon State Construction Contractors Board. In cases that involve liability, the owner has recourse through small claims court. Permits will not be



issued to contractors with licenses that have an inactive status according to the Oregon State Construction Contractors Board computer records.

(2) A City Business License or Metro Business License is also required when performing work within Fairview.

(3) Remove whole squares to full depth and replace with concrete. Skin patching is not an acceptable repair method, as it does not provide a good and substantial repair.

(4) Grinding of stub toes raised 1 inch or less with the approval and guidance of the Public Works representative.

City Repair

Prior to scheduling repairs to be made by City contractor crews, all identified defects in the area to be repaired will be re-checked. If upon re-checking, it is found that the defects have been repaired satisfactorily, crews will not be scheduled for that area and the sidewalk database will be updated accordingly.

Properties where the hazard has not been satisfactorily repaired will be marked out and scheduled for repair by private companies working on contract with the City (city contractor). Additional defects found may be marked out for repair as well.

The City will repair identified defects of 1" or less by grinding, and if grinding will not repair the hazard or the hazard is in excess of 1" the City will repair by removing and replacing whole squares to the proper depth per City code.

Time Extensions

Requests for 30 day time extensions will be granted if reasonable cause exists. The following conditions may cause the Public Works Department to grant extended time, more than 30 days, to property owners to make sidewalk repairs:

New Property Owner

When the previous owner did not disclose the initial sidewalk inspection report stating there was a hazardous sidewalk to repair/replace to the new property owner who acquired the property. These extensions are usually 60 days in length, with an additional 30 day extension per property owner request, but no more than a total of 90 days.

Legal Questions

When there are legal questions/matters concerning ownership, responsibility, property lines, etc., extensions may be granted until legal questions have been answered.

Plans for Construction/Remodeling

When the city right-of-way area of posted properties will be affected by construction and/or remodeling plans. In some cases, temporary repairs may be required before the extension is granted.



Permits

A permit is required prior to performing any work. Permits are available at Fairview City Hall, 1300 NE Village Street, 2nd Floor (503-665-9320). The permit will be issued to whoever intends to make the repair, i.e., property owner or contractor.

Inspection Requirements

Form Inspections

A form inspection is required when hazardous sidewalk areas have been excavated to proper depth, forms have been set, barricades or saw horses are in place, and all debris has been removed from the city right-of-way. The inspection insures that necessary lines and grades are correct, and that repair work is prepared and formed to meet city specifications and plans. Inspections will be made the following day after the request was made by calling the inspection request line at 503-674-6244, excluding weekends and legal holidays.

Once an inspection has been completed, a copy of the inspection report will be left onsite, with either the contractor or the property owner stating if the forms have passed inspection and if it is okay to begin pouring concrete. If corrections are needed to be made, another form inspection will be required before concrete can be poured. The same inspection time requirements as described above apply.

Final Inspection

A final inspection is required when the repair work has been completed, all forms are removed, and voids are backfilled with dirt or like material and compacted to grade, and the job site has been cleaned up. A minimum of two days must elapse between the time the concrete is poured and the final inspection is requested. This prevents possible spalling of green/uncured concrete when forms are removed.

Final inspections will be made the day after the request has been made, excluding weekends and legal holidays. If repair work is found satisfactory, it will be noted on the inspection form and left with the property owner. If work is found unsatisfactory, it will be noted on the inspection report and left with the property owner. Another final inspection will have to be requested. The same inspection time requirements as described above apply.

City Repair

The goal of the Sidewalk Maintenance Program is to repair sidewalks, driveway approaches, corners, and curbs in the city right-of-way. The City is responsible for sidewalk repair and replacement of hazardous sidewalks abutting to property owned and or maintained by the City.

The City may also repair/replace hazardous sidewalks when a property owner has not taken the appropriate steps to remedy the hazard within the time limits set in this document, or when a property owner has requested the City to make the repairs and bill them.

When the original notices for sidewalk defects have been sent to the property owners, they have 60 days to repair/replace the hazardous sidewalks (unless someone has already tripped, when they shall have only 20 days). If the property owner neglects to repair/replace the sidewalk within those 60 days, unless a 30 day extension has been issued, the City will then



begin the process of having the hazardous sidewalks repaired/replaced. A minimum of 2 weeks before the City contractor crew is to begin repairing the sidewalks, a letter will be sent to each property owner stating the City's intent to repair, approximate repair date, and estimated cost for the sidewalk repairs. Properties to be repaired will receive a door hanger with the previously listed information a minimum of 3 days prior to crews beginning work.

Repair Charges

The repair amount is calculated to recover all direct costs, permit fees, and applicable overheads. When repairs have been completed, information will be sent to the City of Fairview Finance Department, who will prepare and mail an invoice to the registered property owner. The invoice will have information regarding the total cost of the repair work, plus the City's assessment fee of 10% to cover costs of establishing and managing the account.

Property owners will have 30 days from the date of the invoice to pay or finance their bill. If the invoice is not paid or financed by the 30 day deadline, the City will add late interest, penalties and collection costs to the bill. To insure payment, a lien will be placed on the property.

Financing

The City's Finance Department mails an installment payment contract with each final assessment notice. The contract describes the amount of the assessment, financing fees, the total loan amount, options for making loan payments, and the terms and conditions of the loan.

The City's monthly installment plans are calculated like auto or home loans. Over time, the payment is made up of larger amounts of principle and smaller amounts of interest, based on the interest rate and term of the loan. A billing transaction fee will also be added to each installment.

Appeal Process

All disagreements and appeals for sidewalk notifications, which cannot be resolved by the Public Works representative, will be directed to the Public Works Director. The Director will investigate all such cases and attempt to reach an agreement with the concerned parties.

If the disputed sidewalk notification is clearly in error, the Director will call for a re-inspection, cancel, or adjust the notification according to the findings. The efforts to resolve the dispute will be fully documented and be used as evidence, should the dispute be appealed to the City Council.



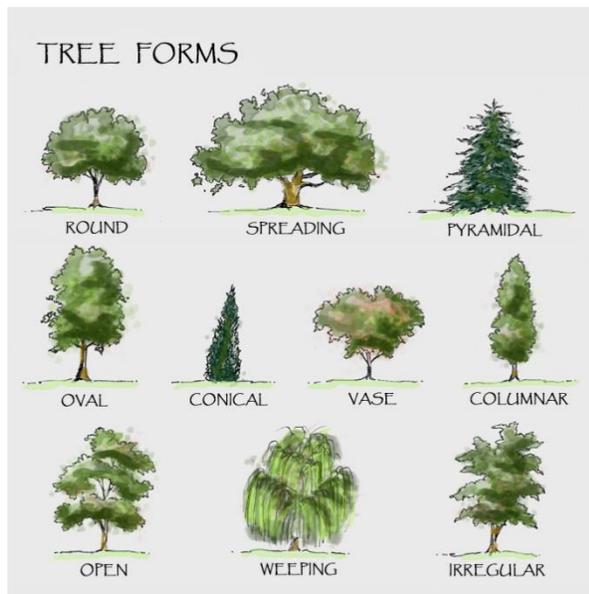
Street Trees

Picking and Siting Your Street Tree

PICKING YOUR TREE

If you live in Fairview Village or in the Lakeshore area there is a street tree planting plan for your neighborhood. You will need to plant the tree described in the Plan. (Available from City Hall or online in the Fairview Municipal Code)

If you live elsewhere in Fairview you will need to pick **Choose** a tree from the approved street tree list for the size of the planting space you have. **All street trees must be at least 1 ½ inch diameter at breast height (dbh) at the time of planting.** You will also need to consider if there are overhead power or other utility lines.



There are a number of other issues you should consider.

Individuals have personal preferences and you will be living with these trees for many years. Try to pick a tree you love. These issues include:

- Height
- Spread
- Form (see illustration)
- Color (spring, summer, and fall)
- If the tree flowers or fruits
- Bark and leaf texture
- Attractiveness to birds or butterflies

It is also good to remember that tree roots usually spread about as far as their canopy. Picking a tree with a small canopy makes sense when you have smaller building setback or a smaller place to plant.

SITING YOUR TREE

Call Before You Dig. Utility lines may be buried in the desired tree planting area. For your safety and the safety of others, be sure to check for underground utilities. Call 503-246-6699 at least 48 hours in advanced before digging.

Contact Portland General Electric for information about tree removal and trimming around power lines 503-736-5460

A larger diameter planting hole promotes better tree health by aerating the soil. The planting hole should be about two to three times the size of the root ball. When locating the planting site for your tree, use the following guidelines. Measurements should be taken from the center of the trunk.

- 20 feet from the curb line of an intersection street.
- 7 feet from alleys and driveways
- 5 feet from fire hydrants
- 10 feet from directional traffic signs
- 20 feet from stop or yield signs
- 2 feet from adjoining property lines
- 25 feet from street lights
- 20 feet from adjacent tree

Planting Your tree

When to Plant – While it is okay to plant a tree any time of the year, the best time to plant a tree is when the tree is dormant during the winter months.

Do Not Compact Soil – Be sure not to pack the soil too tight when planting the tree. Compact soil makes it difficult for roots to grow outward and downward, which can result in raised sidewalks and an unhealthy tree.

Mulch – To hold in moisture and discourage the growth of competing weeds, spread mulch around the base of the tree. The mulch should be about 4 inches deep and kept about 6 inches from the trunk of the tree. Mulch could include grass clippings, compost or bark dust.

Stakes – The tree should be staked for at least the first year after planting. The stakes should be tied loose enough that the tree can sway 2 inches from side to side.

Caring For Your Tree

Trees Need Water – Your new tree will need 5-10 gallons of water once or twice a week for the first three years after planting. Watering your tree slowly and evenly will promote deep root growth; over watering your tree will promote shallow root growth which can result in raised walkways. A 5 gallon bucket with small holes in the bottom is an excellent method for watering your plant slowly.

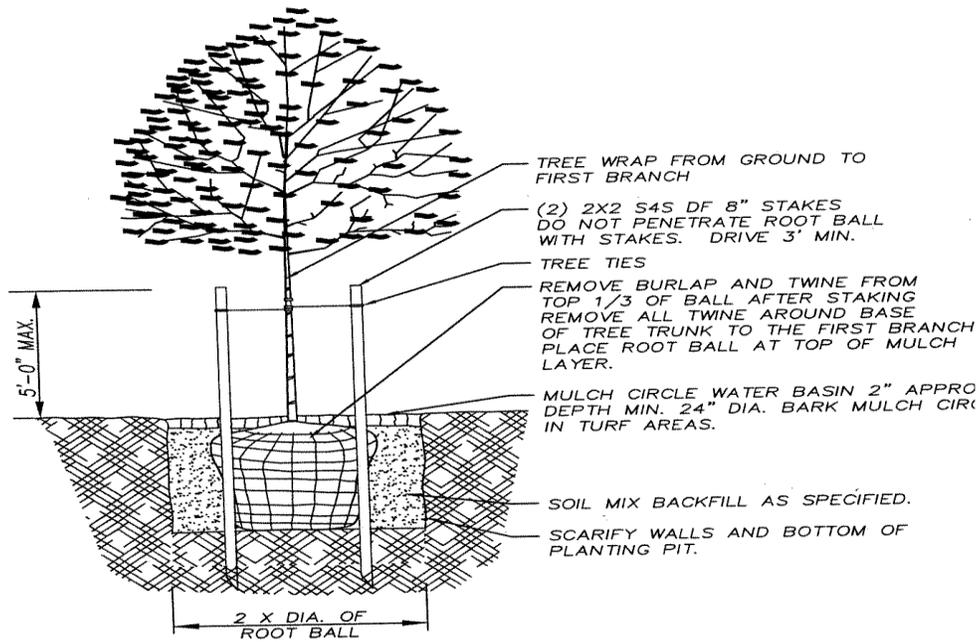
Weed Around Your Tree – Other plants around the tree are competing for water. Be sure to remove competing plants several feet around the base of the tree.

Bark Damage – Take care when mowing around the tree, bark damage can weaken the tree and make it susceptible to disease.

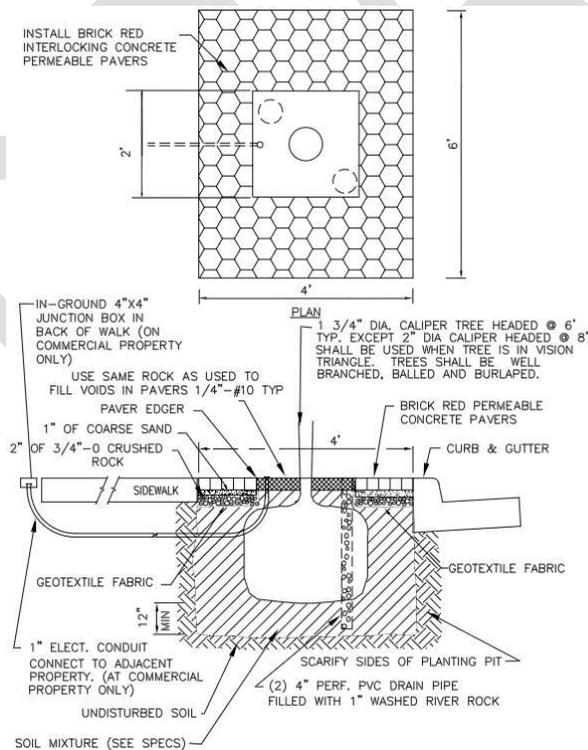
Remove Dead Branches and Suckers – Remove all dead branches in the tree canopy and suckers located at the base of the tree. This will allow the tree to focus its energy where it is needed and desired.



Planting in planter strips or behind the sidewalk



Planting in tree wells





Approved Street Tree List for Areas Outside the South Fairview Lake Design Overlay and Village Areas.

All street trees must be at least 1 ½ inch diameter at breast height (dbh) at the time of planting.

2-3 Foot Planting Area

Common Name	Botanical Name	Mature Height	Canopy Spread	Under Power Lines	Form	Fall Color	Fruit/ Flower	Birds/ Butterflies
Japanese Tree Lilac	<i>Syringa reticulata</i>	20	15	X	Pyramidal		X	
Paperbark Maple	<i>Acer griseum</i>	25	20	X	Oval	X		
Chonosuki Crabapple	<i>Malus schonoskii</i>	30	15	X	Oval	X	X	
Adirondack Crabapple	<i>Malus adirondack</i>	18	10	X	Upright		X	

4-6 Foot Planting Area

Common Name	Botanical Name	Mature Height	Canopy Spread	Under Power Lines	Form	Fall Color	Fruit/ Flower	Birds/ Butterflies
Flowering Ash	<i>Fraxinus ornus</i>	30	15	X	Round	X	X	X
American Hornbeam	<i>Ostrya virginiana</i>	35	35	X	Oval	X		
Black Tupelo	<i>Nyssa sylvatica</i>	45	20		Pyramidal	X		X
Silver Linden	<i>Tilia tomentosa</i>	45	35		Pyramidal	X		X
European Beech	<i>Fagus sylvatica</i> <i>'purpurea tricolor'</i>	35	25		Oval			
Paperbark Maple	<i>Acer griseum</i>	25	20	X	Oval	X		
Princeton Sentry Ginko*	<i>Ginkgo Biloba</i> Princeton Sentry*	40	15		Columnar	X		
Kobus Magnolia	<i>Magnolia kobus</i>	40	30	X	Globe		X	
Chonosuki Crabapple	<i>Malus schonoskii</i>	30	15	X	Oval	X	X	

*Male tree only



Approved Street Tree List for the Village



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Approved Street Tree List for South Fairview Lake Design Overlay

