

NOTICE OF DECISION

PLANNING DIVISION
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SALEM, OREGON 97301
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*Si necesita ayuda para comprender esta información, por favor llame
503-588-6173*

DECISION OF THE PLANNING ADMINISTRATOR

TREE REMOVAL PERMIT: TRP24-26

APPLICATION NO.: 24-112272-PLN

NOTICE OF DECISION DATE: June 13, 2024

REQUEST: A Tree Removal Permit for two hazardous trees

APPLICANT: Elwood's Tree Service

OWNER: Wayne & Julie Booker

LOCATION: 535 Valleywood Dr SE, OR 97306

CRITERIA: Salem Revised Code (SRC) Chapter 808.030(d)(1).

FINDINGS: The findings are in the attached Decision dated June 13, 2024.

DECISION: The **Planning Administrator APPROVED** TRP24-26 based upon the application materials and the findings as presented in this report.

Approval of a Tree Removal Permit application does not expire.

This decision is final; there is no local appeal process. Any person with standing may appeal this decision by filing a "Notice of Intent to Appeal" with the Land Use Board of Appeals, 775 Summer St NE, Suite 330, Salem OR 97301-1283, not later than 21 days after the decision date. Anyone with questions regarding filing an appeal with the Oregon Land Use Board of Appeals should contact an attorney.

The following items are submitted to the record: 1) All materials and evidence submitted by the applicant, including any applicable professional studies; and 2) All materials, evidence, and comments from City Departments and public agencies. The application materials are available on the City's online Permit Application Center at <https://permits.cityofsalem.net>. You may use the search function without registering and enter the permit number listed here: 24 112272.

Case Manager: Peter Domine, Planner II, pdomine@cityofsalem.net, 503-540-2311

<http://www.cityofsalem.net/planning>

BEFORE THE PLANNING ADMINISTRATOR OF THE CITY OF SALEM

DECISION

IN THE MATTER OF APPROVAL OF) FINDINGS & ORDER
TREE REMOVAL PERMIT)
CASE NO. TRP24-26)
535 VALLEYWOOD DR SE) JUNE 13, 2024

In the matter of the application for a Tree Removal Permit, the Planning Administrator, having received and reviewed evidence and the application materials, makes the following findings and adopts the following order as set forth herein.

REQUEST

A Tree Removal Permit for two hazardous trees located within a riparian corridor. The subject property is 0.21 acres in size, zoned RS (Single Family Residential) and located at 535 Valleywood Dr SE (Marion County Assessor's Map and Tax Lot Number 083W15BC / 3700). A vicinity map identifying the subject property is included as **Attachment A**.

PROCEDURAL FINDINGS

1. On June 6, 2024, an application for a Tree Removal Permit was submitted for property located at 535 Valleywood Dr SE.
2. On June 12, the application was deemed complete.

SUBSTANTIVE FINDINGS

1. Proposal

The applicant's written statement and photos identifies two trees, one European Birch and one Red Alder, located along a riparian corridor proposed for removal (**Attachment B**).

2. Applicability

SRC 808.020 Trees and Native Vegetation In Riparian Corridors. No person shall remove a tree in a riparian corridor or native vegetation in a riparian corridor, unless the removal is undertaken pursuant to a tree and vegetation removal permit issued under SRC [808.030](#), undertaken pursuant to a tree conservation plan approved under SRC [808.035](#), or undertaken pursuant to a tree variance granted under SRC [808.045](#).

3. Analysis of Tree Removal Permit Approval Criteria:

SRC 808.030(d)(1) Hazardous tree. The condition or location of the tree presents a hazard or danger to persons or property; and the hazard or danger cannot reasonably be alleviated by treatment or pruning, or the tree has a disease of a nature that even with reasonable treatment or pruning is likely to spread to adjacent trees and cause such trees to become hazardous trees.

Finding: The applicant provided an arborist's report (**Attachment B**) and photos addressing the condition and location of two trees located within a riparian corridor along Waln Creek. According to the arborist's report, the European Birch is infected with bronze birch borer disease and is dying and dropping branches. The second tree, a Red Alder, appears to have died from natural causes. The arborist's report indicates the trees are dropping branches and leaning into the backyard of the residence, posing a hazard to persons and property, and should be removed. Pursuant to SRC 808.020, roots, trunks, and branches of trees removed within riparian corridors shall remain within the riparian corridor.

Condition 1: The roots and trunks of the removed trees shall remain within the riparian corridor.

Staff finds that the Tree Removal Permit application for the removal of two riparian corridor trees is consistent with the provisions of SRC Chapter 808 and the applicable approval criteria.

IT IS HEREBY ORDERED

The proposed Tree Removal Permit is consistent with the provisions of SRC Chapter 808 and condition of approval and is hereby **APPROVED** subject to the following conditions.

Condition 1: The roots and trunks of the removed trees shall remain within the riparian corridor.



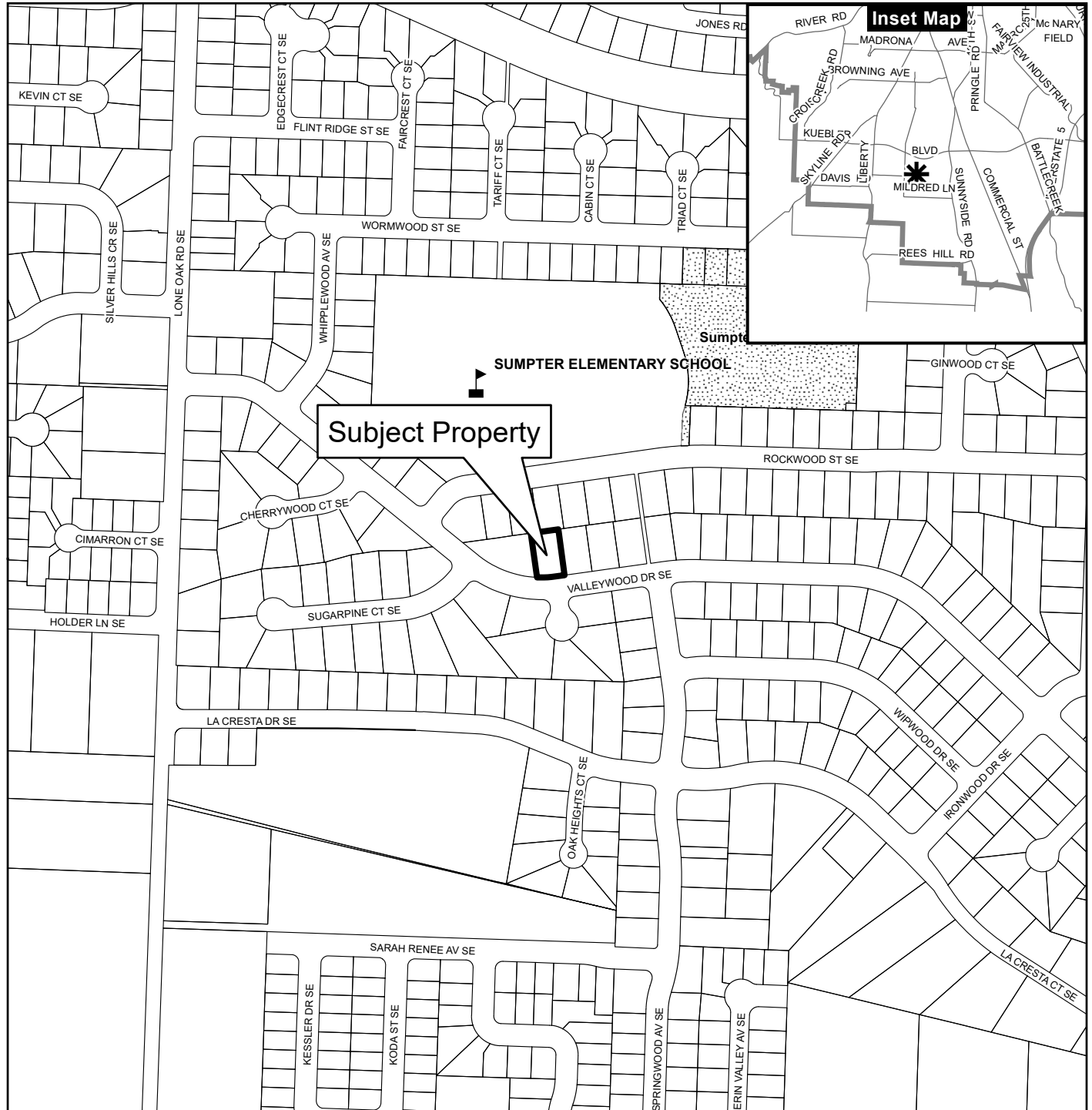
Peter Domine, Planner II, on behalf of,
Lisa Anderson-Ogilvie, AICP
Planning Administrator

Attachments:

- A. Vicinity Map
- B. Arborist Report

Vicinity Map

535 Valleywood Dr SE



Legend

- Taxlots
- Urban Growth Boundary
- City Limits
- Outside Salem City Limits
- Historic District
- Schools
- Parks

0 100 200 400 Feet



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Elwood's TREE SERVICE

Dear City of Salem,

I am writing on behalf of one of our customers, who are in urgent need of removing two dead trees from their backyard. The City of Salem has a strict tree removal ordinance, especially along riparian waterways, and we understand the importance of preserving our natural environment. However, in this particular case, the safety and well-being of our customers are at stake.

One of these trees in question is a European birch that has succumbed to bronze birch borer disease. The other is a mature Red Alder that appears to have died from natural causes. Both trees are shedding branches and posing a significant hazard to our customers and their property. As a result, our customers are unable to use their backyard until this issue is resolved.

We are requesting permission to remove these trees as soon as possible to ensure the safety of our customers and their property. We are committed to following all guidelines and regulations set forth by the City of Salem regarding tree removal, and we will work diligently to mitigate any potential impact on the surrounding environment.

Thank you for considering our request. We appreciate your attention to this matter and look forward to working together to resolve this issue promptly.

Sincerely,



Elwood A. Newhouse

Arborist



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