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DECISION OF THE PLANNING ADMINISTRATOR

TREE CONSERVATION PLAN: TCP25-06

APPLICATION NO.: 24-122053-PLN

NOTICE OF DECISION DATE: July 25, 2025

SUMMARY: A Tree Conservation Plan in conjunction with a Tentative Partition Plan proposing the preservation of 260 trees, or 92 percent, of the 283 total trees on the property.

REQUEST: A Tree Conservation Plan in conjunction with a Tentative Partition Plan (Case No. PAR25-06) proposing the preservation of 260 trees, or 92 percent, of the 283 total trees on the property. The subject property is approximately 34.13 acres in size, zoned RA (Residential Agriculture), and located at 2592 Kuebler Road S (Marion County Assessor's Map and Tax Lot Number: 083W17B / 100).

APPLICANT: Multi/Tech Engineering on behalf of Comfort Homes LLC

LOCATION: 2592 Kuebler Road S, Salem OR 97302

CRITERIA: Salem Revised Code (SRC) Chapter 808.035.

FINDINGS: The findings are in the attached Decision dated July 25, 2025.

DECISION: The **Planning Administrator APPROVED** TCP25-06 subject to the following conditions of approval:

- Condition 1:** No trees or vegetation designated for preservation may be removed or critically damaged unless and until a Tree Conservation Plan Adjustment is submitted to the Community Planning and Development Department, and approval has been granted by the Planning Administrator. Failure to preserve trees or vegetation marked for preservation may result in a civil penalty.
- Condition 2:** Each parcel within the development proposal shall comply with the tree planting requirements set forth in SRC 808.050.

The applicant, and all representatives thereof, shall comply with all applicable development standards of SRC Chapter 808. The approved Tree Conservation Plan is on file with the City of Salem and is binding on the parcels created by the division of the subject property. Prior to the effective date of the Tree Conservation Plan, no tree shall be removed or critically damaged.

Approval of a Tree Conservation Plan application does not expire.

Case Manager: Quincy Miller, AICP, Planner I, gmiller@cityofsalem.net, (503) 584-4676

This decision is final unless written appeal from the applicant or the owner of the subject property is filed with the City of Salem Planning Division in person at 440 Church Street SE, 5th Floor, Salem, OR 97312, or, mailed to P.O. Box 14300, Salem, OR 97309, **no later than Friday, August 11th, by 5:00 PM**. Appeal must state where the decision failed to conform to the approval criteria in SRC Chapter 808. The appeal fee must be paid at the time of filing. If the appeal is untimely and/or lacks the proper fee, the appeal will be rejected. The Hearings Officer will review the appeal at a public hearing. After the hearing, the Hearings Officer may amend, rescind, or affirm the action or refer the matter to staff for additional information.

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

BEFORE THE PLANNING ADMINISTRATOR OF THE CITY OF SALEM

DECISION

IN THE MATTER OF APPROVAL OF)	FINDINGS & ORDER
TREE CONSERVATION PLAN)	
CASE NO. TCP25-06)	
2592 KUEBLER ROAD S)	JULY 25, 2025

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

REQUEST

A Tree Conservation Plan in conjunction with a Tentative Partition Plan (Case No. PAR25-06) proposing the preservation of 260 trees, or 92 percent, of the 283 total trees on the property. The subject property is approximately 34.13 acres in size, zoned RA (Residential Agriculture), and located at 2592 Kuebler Road S (Marion County Assessor's Map and Tax Lot Number: 083W17B / 100).

PROCEDURAL FINDINGS

1. On October 28, 2024, an application for a Tree Conservation Plan was submitted for property located at 2592 Kuebler Road S (**Attachment A**). The Tree Conservation Plan (**Attachment B**) was submitted in conjunction with a new Tentative Partition Plan application for the subject property (Case No. PAR25-06).
2. After approval of PAR25-06, the application was deemed complete for processing on July 1, 2025.

SUBSTANTIVE FINDINGS

1. Proposal

The Tree Conservation Plan identifies a total of 283 trees above ten inches diameter-at-breast-height (dbh) on the property, with 260 trees identified for preservation and 23 trees proposed for removal (**Attachment B**). There are 82 significant trees located on the property, with five significant trees proposed for removal. No trees or vegetation located within the Riparian Corridor are proposed for removal.

2. Applicability

A tree conservation plan is required in conjunction with any development proposal for the creation of lots or parcels to be used for single-family uses, two-family uses, three-family uses, four-family uses, or cottage clusters.

3. Summary of Record

The application materials are available on the City's online Permit Application Center at <https://permits.cityofsalem.net>. To view the materials without registering, you may use the search function and enter the permit number listed here: 24 122053.

DECISION CRITERIA FINDINGS

4. Analysis of Tree Conservation Plan Approval Criteria

Salem Revised Code (SRC) 808.035(d) provides that an application for a Tree Conservation Plan shall be granted if the following criteria are met. The following subsections are organized with approval criteria, followed by findings of fact upon which the decision is based. Lack of compliance with the following criteria is grounds for denial or for the issuance of conditions of approval to satisfy the criteria.

SRC 808.035(d)(1)(A): No heritage trees are designated for removal.

Finding: There are no heritage trees located on the subject property; therefore, this standard is not applicable.

SRC 808.035(d)(1)(B): No significant trees are designated for removal, unless there are no reasonable design alternatives that would enable preservation of such trees.

Finding: Of the 283 total trees located on the property, 47 trees are significant trees with a dbh of at least 30 inches, and 35 trees are Oregon White Oaks with a dbh of at least 20 inches, for a total of 82 significant trees. Five significant Oregon White Oaks are proposed for removal due to right-of-way dedication and improvements.

The applicant states that the proposed removal of the five significant trees is due to the required boundary street improvements and right-of-way dedication as part of the associated Partition Plan, Case No. PAR25-06. The removals are required due to no reasonable design alternatives per SRC 808.035(d)(2)(A), wherein the right-of-way dedication for Croisan Creek Road is required as it is a planned alignment of a street identified in the Salem Transportation System Plan (TSP). Furthermore, boundary street improvements including additional right-of-way dedication are required for Kuebler Road S and Ballyntyne Road.

Therefore, due to the required right-of-way dedication for the planned alignment of a street in the Salem TSP per SRC 808.035(d)(2)(A)(ii) and required boundary street improvements per SRC 808.035(d)(2)(A)(v), there are no reasonable design alternatives that would enable the preservation of the significant trees proposed for removal.

SRC 808.035(d)(1)(C): No trees or native vegetation in a riparian corridor are designated for removal, unless there are no reasonable design alternatives that would enable preservation of such trees or native vegetation.

Finding: No trees or vegetation are designated for removal; therefore, this standard is met.

SRC 808.035(d)(1)(D): Not less than 30 percent of all trees located on the property are designated for preservation, unless there are no reasonable design alternatives that would enable preservation of such trees;

Finding: The Tree Conservation Plan identifies a total of 283 trees on the property, of which 260 are designated for preservation. As 260 trees (92 percent) of the trees are designated for preservation, this standard is met.

SRC 808.035(d)(1)(E): When less than 30 percent of all trees located on the property are designated for preservation, the mitigation measures required under SRC 808.035(e) are met.

Finding: As more than 30 percent of all the trees located on the property are designated for preservation, the mitigation measures required under SRC 808.035(e) are not applicable.

5. SRC 808.046 Protection Measures During Construction

Pursuant to SRC 808.046, all trees or native vegetation are required to be preserved or protected under the UDC during construction. All trees or native vegetation shall be protected during construction with the installation of an above ground silt fence encompassing 100 percent of the critical root zone of the tree or the perimeter of native vegetation. Protection measures are required to remain until issuance of notice of final completion for dwelling unit(s) on the lot, or issuance of certificate of occupancy in all other cases.

Finding: There are 260 trees designated for preservation; therefore, protection measures are applicable, and the following condition applies:

Condition 1: No trees or vegetation designated for preservation may be removed or critically damaged unless and until a Tree Conservation Plan Adjustment is submitted to the Community Planning and Development Department, and approval has been granted by the Planning Administrator. Failure to preserve trees or vegetation marked for preservation may result in a civil penalty.

6. SRC 808.050 Tree Planting Requirements

SRC Chapter 808.050 establishes tree planting requirements for lots or parcels to be used for single-family, two-family, three-family, four-family, or cottage cluster uses. The minimum number of trees that must be provided on each parcel is based upon the requirements of Table 808-1, as shown below:

Table 808-1

Lot Size	Required Trees
Less than 4,000 square feet	1
4,000 to 6,000 square feet	2
6,001 to 7,000 square feet	3
7,001 to 8,000 square feet	4

8,001 to 9,000 square feet	5
Above 9,000 square feet	6

In the event there are insufficient existing trees on a lot or parcel to meet the requirements of Table 808-1, the deficiency shall be made up by planting trees that are at least 1.5 inches in caliper.

Finding: At the time of building permits, each parcel shall meet the tree planting requirements identified in Table 808-1.

Condition 2: Each parcel within the development proposal shall comply with the tree planting requirements set forth in SRC 808.050.

IT IS HEREBY ORDERED

The proposed Tree Conservation Plan is consistent with the provisions of SRC Chapter 808 and is hereby **APPROVED** subject to the applicable standards of the Salem Revised Code, the findings contained herein, and the following conditions of approval:

- Condition 1:** No trees or vegetation designated for preservation may be removed or critically damaged unless and until a Tree Conservation Plan Adjustment is submitted to the Community Planning and Development Department, and approval has been granted by the Planning Administrator. Failure to preserve trees or vegetation marked for preservation may result in a civil penalty.
- Condition 2:** Each parcel within the development proposal shall comply with the tree planting requirements set forth in SRC 808.050.



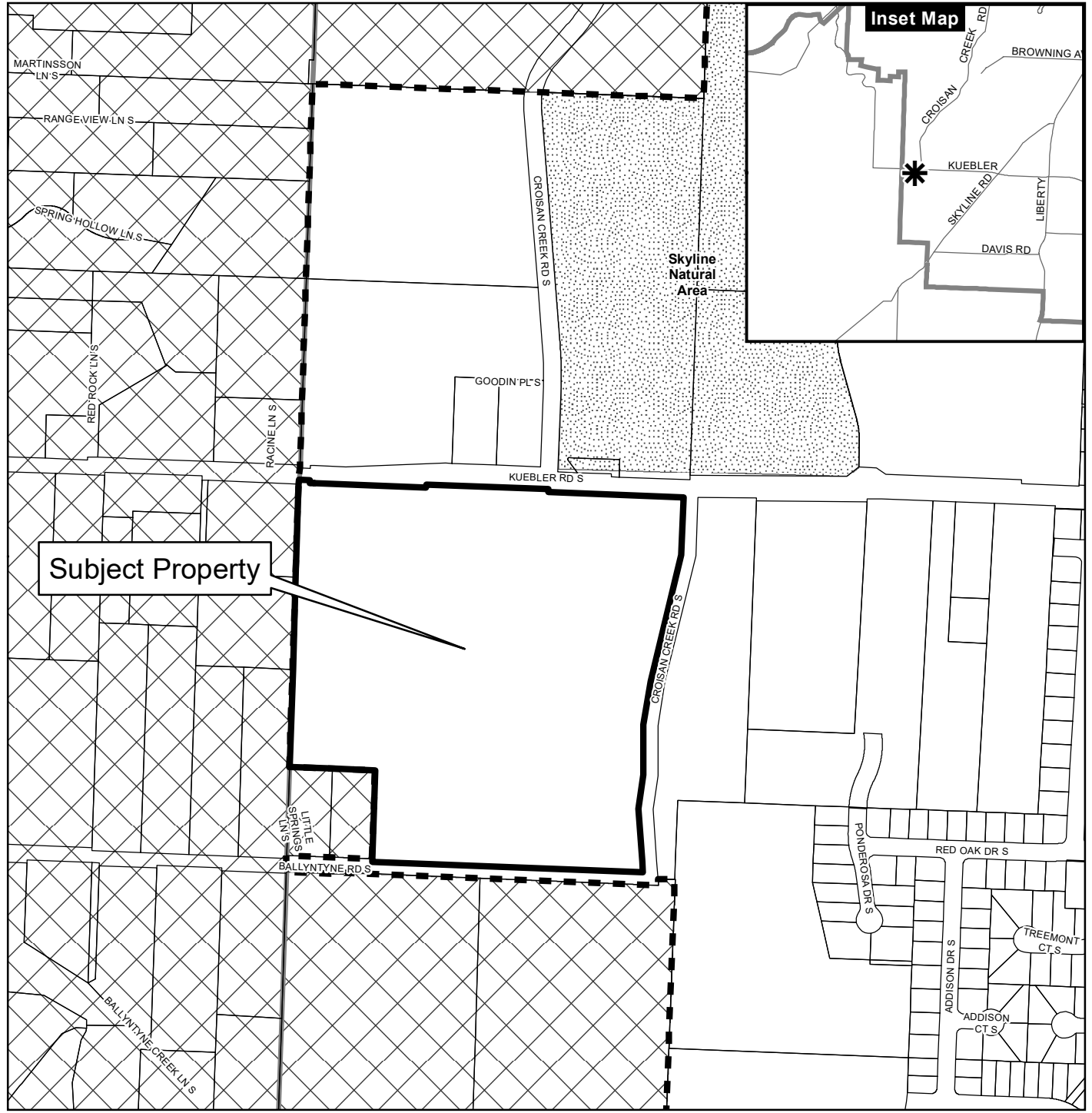
Quincy Miller, AICP, Planner I, on behalf of,
Lisa Anderson-Ogilvie, AICP
Planning Administrator

Attachments:

- A. Vicinity Map
- B. Tree Conservation Plan

Vicinity Map

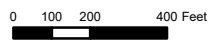
2592 Kuebler Road S



Legend

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

Parks



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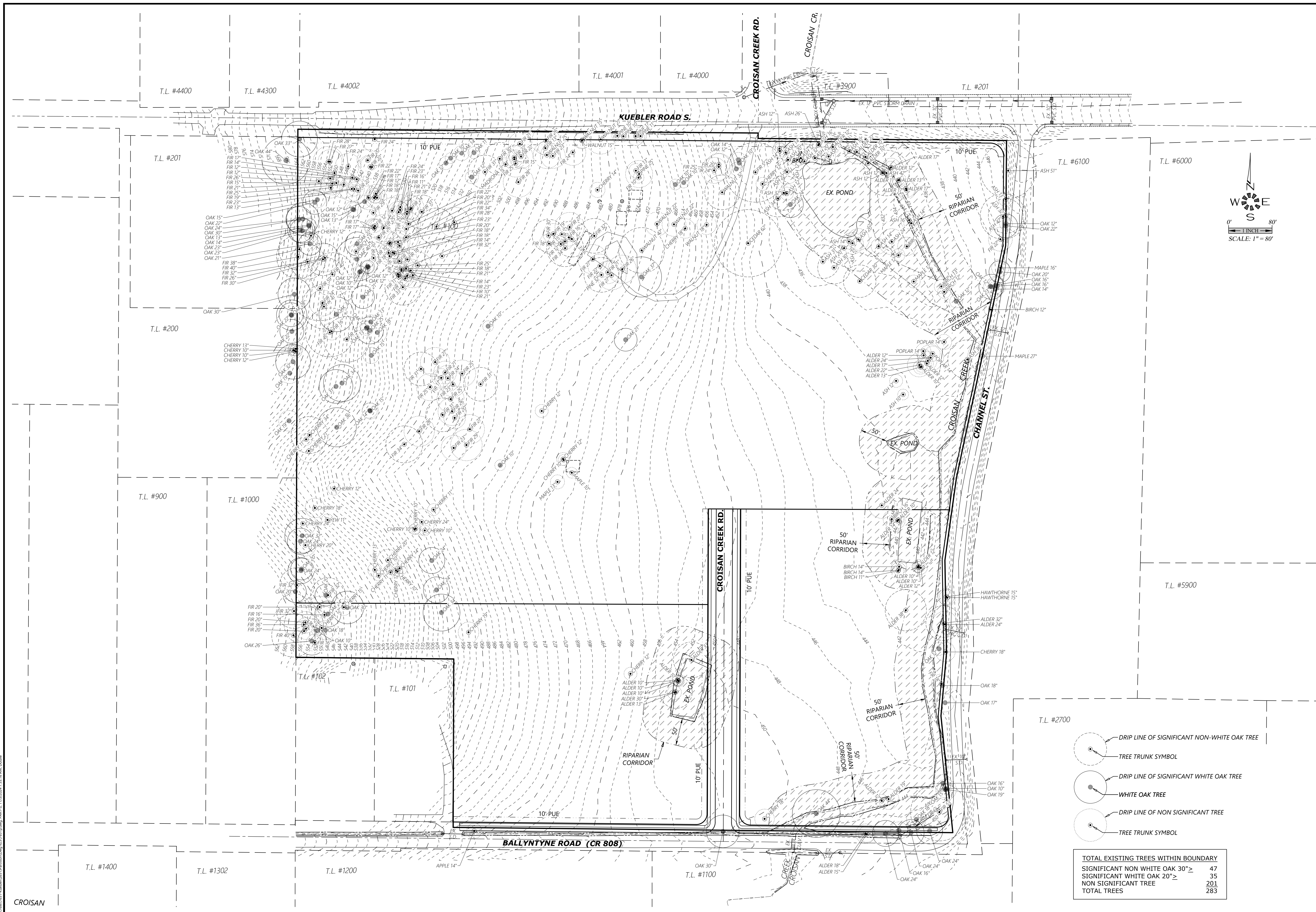
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DRIP LINE OF SIGNIFICANT NON-WHITE OAK TREE
TREE TRUNK SYMBOL
DRIP LINE OF SIGNIFICANT WHITE OAK TREE
WHITE OAK TREE
DRIP LINE OF NON SIGNIFICANT TREE
TREE TRUNK SYMBOL

TOTAL EXISTING TREES WITHIN BOUNDARY	
SIGNIFICANT NON WHITE OAK 30" >	47
SIGNIFICANT WHITE OAK 20" >	35
NON SIGNIFICANT TREE	201
TOTAL TREES	283

ENGINEERING SERVICES, INC.
1155 13th St. SE, Salem, OR 97302
PH: (503) 363-9227 FAX: (503) 364-1260
www.mtengineering.net office@mtengineering.net

TREE PLAN

KUEBLER PARTITION

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REGISTERED PROFESSIONAL ENGINEER
MARK D. GREGG
EXPIRES 06-30-2025

JOB # 7651

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