

# NOTICE OF DECISION

PLANNING DIVISION  
555 LIBERTY ST. SE, RM 305  
SALEM, OREGON 97301  
PHONE: 503-588-6173  
FAX: 503-588-6005



*Si necesita ayuda para comprender esta informacion, por forvor llame  
503-588-6173*

## PLANNING ADMINISTRATOR DECISION FOR TREE CONSERVATION PLAN

**CASE NO.:** TCP19-16  
**AMANDA NO.:** 19-125269-NR  
**DATE OF DECISION :** February 21, 2020  
**PROPERTY LOCATION:** 4560 Center Street NE  
**APPLICANT:** Project Delivery Group

### REQUEST

A Tree Conservation Plan in conjunction with the Subdivision20-09 (Case No. SUB20-09) proposing the preservation of six tree, or 85 percent, out of a total of seven trees on the property. The subject property is approximately 4.71 acres in size, zoned RA (Residential Agriculture), and located at 4560 Center Street NE (Marion County Assessor Map and Tax Lot Number 072W30AA / 8000).

### FINDINGS

The subject property is located at 4560 Center Street NE (Attachment A). The tree conservation plan (Attachment B) was submitted in conjunction with a subdivision application for the subject property (Case No. SUB20-09).

The tree conservation plan identifies a total of three trees above 10 inches diameter-at-breast-height (dbh) on the property, with two trees identified for removal and one tree identified for preservation.

There are no heritage trees, significant trees, or riparian corridor trees or vegetation located on the property.

#### **1. Tree Conservation Plan Approval Criteria (SRC 808.035(d)):**

SRC 808.035(d) establishes the following approval criteria for tree conservation plans:

- (1) No heritage trees are designated for removal;
- (2) No significant trees are designated for removal, unless there are no reasonable design alternatives that would enable preservation of such trees;
- (3) 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;
- (4) Not less than 25 percent of all trees located on the property are designated for preservation; provided, however, if less than 25 percent of all trees located on the property are designated for preservation, only those trees

reasonably necessary to accommodate the proposed development shall be designated for removal.

## **2. Analysis of Tree Conservation Plan Approval Criteria:**

- (1) No heritage trees are designated for removal.

**Finding:** There are no heritage trees located on the subject property; therefore, the preservation requirements of SRC 808.035(d)(1) are not applicable to the tree conservation plan.

- (2) No significant trees are designated for removal, unless there are no reasonable design alternatives that would enable preservation of such trees.

**Finding:** There are no significant trees located on the subject property; therefore, the preservation requirements of SRC 808.035(d)(2) are not applicable to the tree conservation plan.

- (3) 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:** There is no riparian corridor present on the subject property; therefore, the preservation requirements of SRC 808.035(d)(3) are not applicable to the tree conservation plan.

- (4) Not less than 25 percent of all trees located on the property are designated for preservation; provided, however, if less than 25 percent of all trees located on the property are designated for preservation, only those trees reasonably necessary to accommodate the proposed development shall be designated for removal.

**Finding:** The tree conservation plan identifies a total of seven trees on the subject property, with six of the trees designated for preservation and one of the trees designated for removal. As a result, the tree conservation plan preserves approximately 85 percent of the trees on the subject properties and exceeds the minimum tree preservation requirement of 25 percent.

Because the tree conservation plan preserves more than 25 percent of the existing trees on the subject properties, the tree conservation plan complies with the requirements of SRC 808.035(d)(4).

## **3. SRC Chapter 808 Planting Requirements**

SRC Chapter 808.050 establishes tree planting requirements for lots or parcels to be used for Single Family or Two Family uses. The specific number of trees that must be provided on each lot is based upon the requirements of Table 808-1, as shown below:

### Table 808-1

Lot Size	Required Trees
Up to and including 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.

## DECISION

The proposed Tree Conservation Plan is consistent with the provisions of SRC Chapter 808. The Tree Conservation Plan is hereby **APPROVED**, subject to SRC Chapter 808 and the following conditions, adopted pursuant to SRC 808.050(e)(2):

**Condition 1:** All trees designated for retention under the tree conservation plan shall be marked and protected during construction. Any heritage tree or significant tree shall require that at least 70 percent of a circular area beneath the tree measuring one foot in radius for every one inch of dbh be protected by an above ground silt fence or its equivalent. Tree protection measures shall remain in place until the issuance of Notice of Final Completion for the Single Family dwelling or Two Family dwelling.

**Condition 2:** Each lot or 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 lots created by the subdivision of the subject property. No tree designated for removal on the approved Tree Conservation Plan shall be removed or critically damaged prior to the Tree Conservation Plan approval date.

Alt Dis

Olivia Dias, Planner III, on behalf of  
Lisa Anderson-Ogilvie, AICP  
Planning Administrator

Attachments: A. Vicinity Map  
B. Approved Tree Conservation Plan

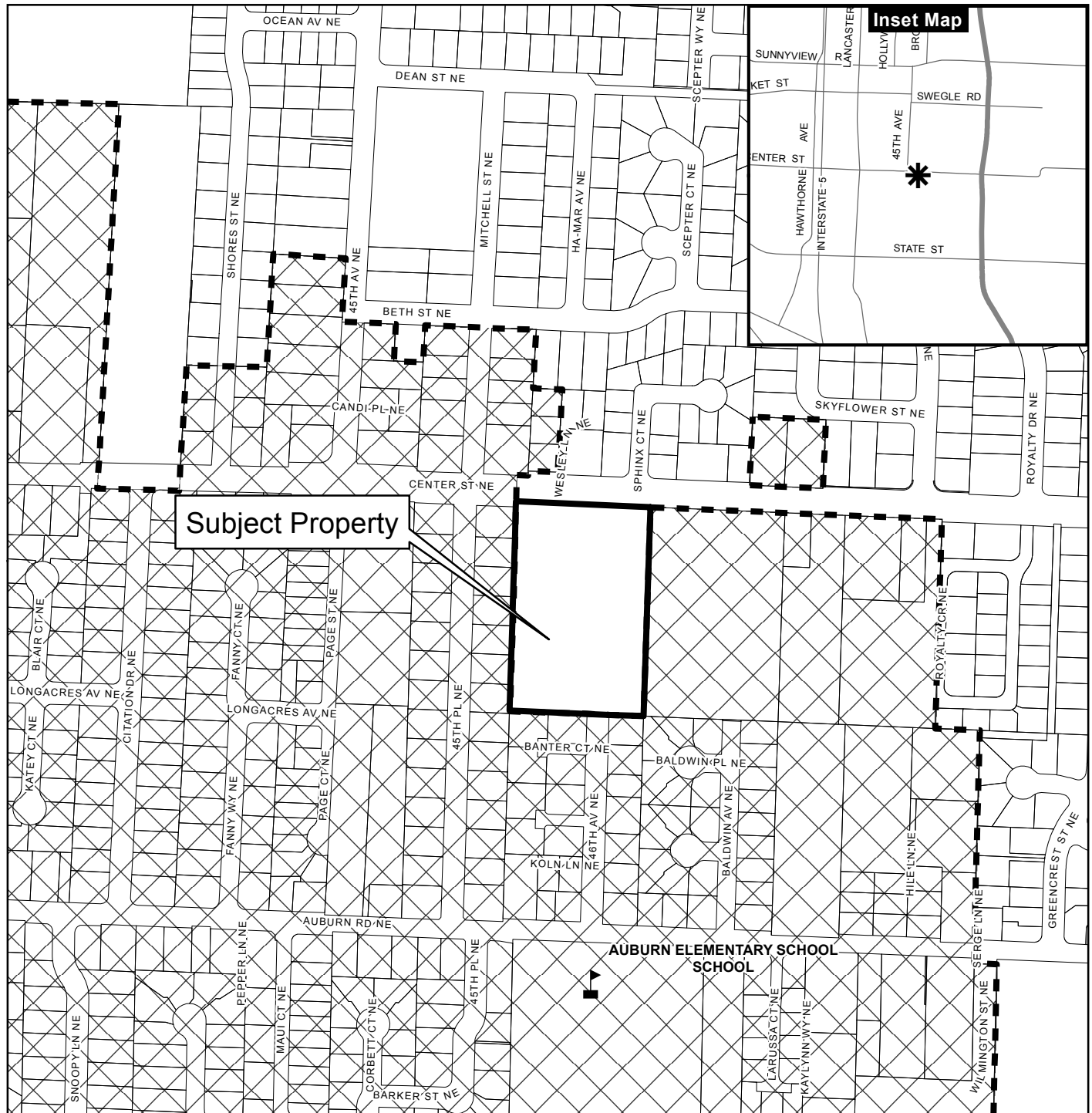
This decision is final unless written appeal from the applicant or the owner of the subject property is filed with the City of Salem Planning Division Room 305, 555 Liberty Street SE Salem OR 97301 no later than **Monday, March 9, 2020 by 5:00 p.m.** The appeal must state where the decision failed to conform to the approval criteria for a tree conservation plan adjustment (SRC Chapter 808). The appeal must be filed in duplicate with the City of Salem Planning Division. 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 Salem 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. Approval of a tree conservation plan adjustment application does not expire.

cc: Alan Kessler, GIS

G:\CD\PLANNING\CASE APPLICATION Files 2011-On\TREES\TCP-Tree Conservation Plan\2019\Decisions\TCP19-16.oed.docx

# Vicinity Map

## 4560 Center Street NE



### Legend

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

Parks

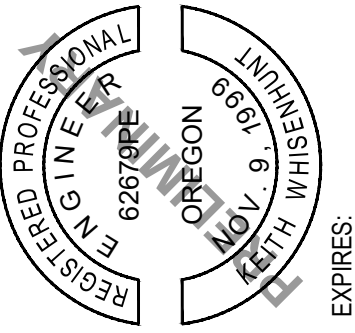
**CITY OF Salem**  
AT YOUR SERVICE  
Community Development Dept.

This product is provided as is, without warranty. In no event is the City of Salem liable for damages from the use of this product. This product is subject to license and copyright limitations and further distribution or resale is prohibited.

0 100 200 400 Feet







DATE SIGNED:

BELLE PLAINE ESTATES  
SUBDIVISION

JENSEN  
CONSULTING &  
DEVELOPMENT, LLC  
5190 KALE ST NE  
SALEM, OR 97305

NO.	REVISIONS	DESCRIPTION	DATE BY

PROJECT NO.: 13080
HORIZONTAL: NAD 83 SPCS
VERTICAL: NAD 83 SPCS
SCALE: HORIZONTAL: AS SHOWN
VERTICAL: AS SHOWN
DESIGN: KW
DRAWN: JSL
CHECKED:
APPROVED:

SHEET TITLE

TREE  
CONSERVATION  
PLAN

C-1.1.1

TREE CONSERVATION DATA

- TOTAL TREES: 7  
TREES 10" OR MORE DBH: 4  
TREES TO BE REMOVED 10" OR MORE DBH: 1  
TREES TO BE PRESERVED 10" OR MORE DBH: 3  
PERCENTAGE OF TREES TO BE PRESERVED: 75%

DBH	TYPE	SAVE
15	DTR	Y
15	DTR	Y
5	DTR	Y
12	CHERRY	Y
6	CHERRY	Y
6	CHERRY	Y
10	DTR	N

