

NOTICE OF DECISION

PLANNING DIVISION
555 LIBERTY ST. SE, RM 305
SALEM, OREGON 97301
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*Si necesita ayuda para comprender esta información, por favor llame
503-588-6173*

PLANNING ADMINISTRATOR DECISION FOR TREE CONSERVATION PLAN

CASE NO.: TCP19-15
AMANDA NO.: 18-124475-NR
DATE OF DECISION: December 13, 2019
PROPERTY LOCATION: 255 Cordon Road NE, 4800-4900 Block of State Street, and 4700-4800 Block of Auburn Road NE
APPLICANT: Randy Myers, East Park LLC
CONTACT: Mark Grenz, Multi-Tech Engineering, Inc.

REQUEST

A Tree Conservation Plan in conjunction with Planned Unit Development and Subdivision (Case No. CPC-ZC-PUD-SUB-ADJ19-08) proposing the preservation of 74 trees, or 31.4 percent, out of a total of 236 trees on the property. The subject property is approximately 122 acres in size, zoned RS (Single Family Residential), RM-I and RM-II (Multi-Family Residential) and located at 255 Cordon Road NE, 4800-4900 Block of State Street, and 4700-4800 Block of Auburn Road NE – 97301 (Marion County Assessor Map and Tax Lot numbers: 072W29B / 00200, 00201, 00300, and 00400, 072W29C / 00100, 00101, 00199, 00200, 00300, and 00400).

FINDINGS

The tree conservation plan identifies a total of 236 trees on the property, with 162 trees for removal and 74 trees identified for preservation.

There are 36 significant oak trees located on the subject property, all significant trees are dedicated for preservation.

There are no heritage trees on the subject property. An unnamed waterway is mapped on the northern portion of the subject property which drains to the West Middle Fork Little Pudding River. No riparian trees or vegetation are identified for removal.

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: The tree conservation plan indicates that 36 significant trees are located on the subject property. Per Condition 9 of CPC-ZC-PUD-SUB-ADJ19-08, all significant trees on the subject property shall be protected and preserved through development unless the removal is approved through SRC Chapter 808.

No significant trees are proposed for removal, the tree conservation plan complies with the requirements of SRC 808.035(d)(2).

- (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: An unnamed waterway is mapped on the northern portion of the subject property which drains to the West Middle Fork Little Pudding River. No riparian trees or vegetation are identified for removal. The tree conservation plan complies with the requirements of SRC 808.035(d)(3).

- (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 236 trees on the property, with 162 trees for designated for removal and 74 trees to be preserved for a preservation rate of approximately 31.4 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 808.035(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.



Planning Administrator Designee

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

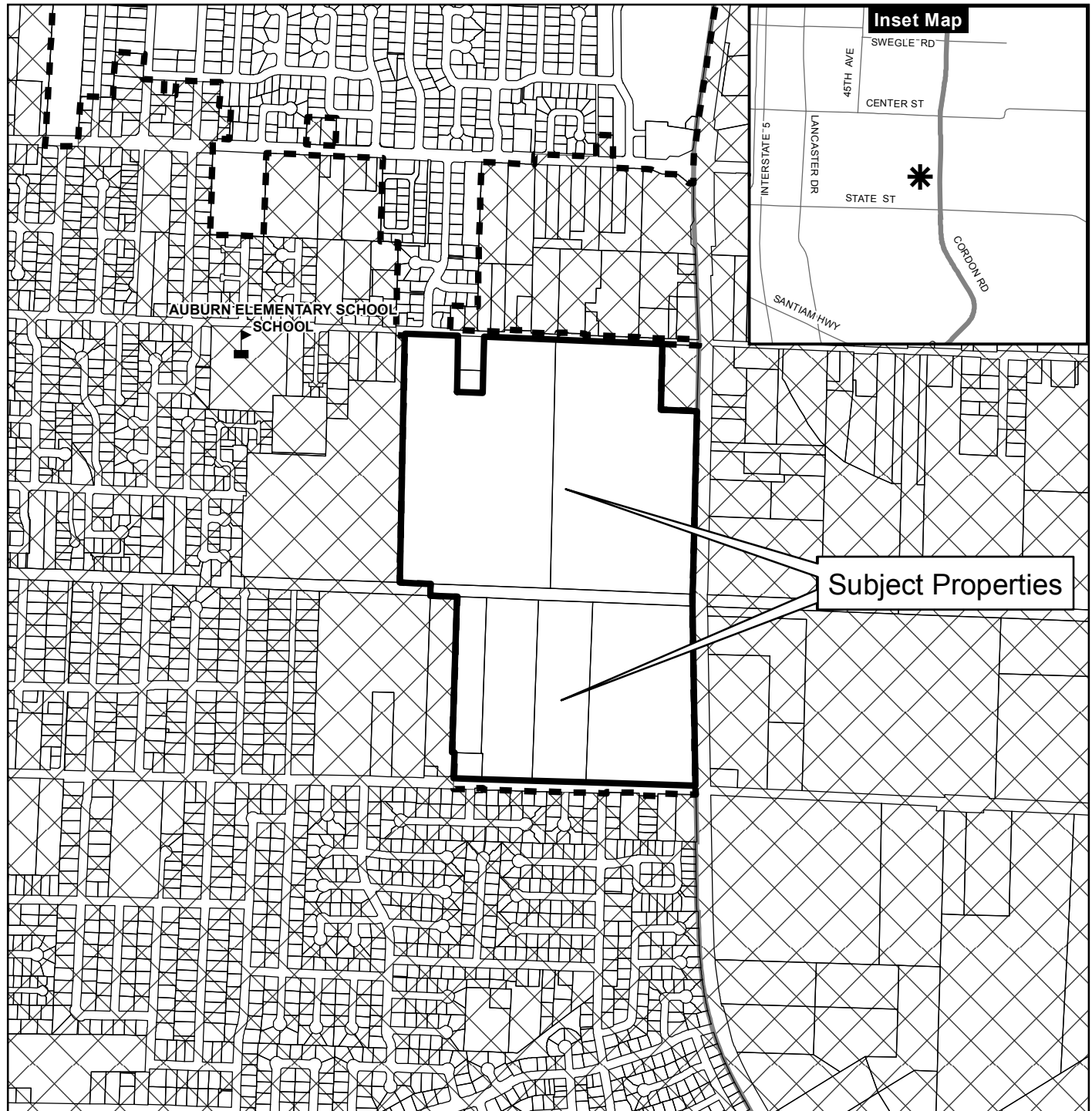
This decision is final unless written appeal from the applicant or the owner of the subject property is filed with the City of Salem Planning Division Room 305, 555 Liberty Street SE Salem OR 97301 no later than **Monday, December 30, 2019 by 5:00 p.m.** The appeal must state where the decision failed 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

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Vicinity Map

255 Cordon Road NE, 4800-4900 Block of State Street and 4700-4800 Block of Auburn Road NE



Legend

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

Parks

CITY OF Salem
AT YOUR SERVICE
Community Development Dept.

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0 100200 400 Feet



**EAST PARK ESTATES
P.U.D.**

NO CHANGES, MODIFICATIONS
OR REPRODUCTIONS TO BE
MADE TO THESE DRAWINGS
WITHOUT WRITTEN
AUTHORIZATION FROM THE
DESIGN ENGINEER.

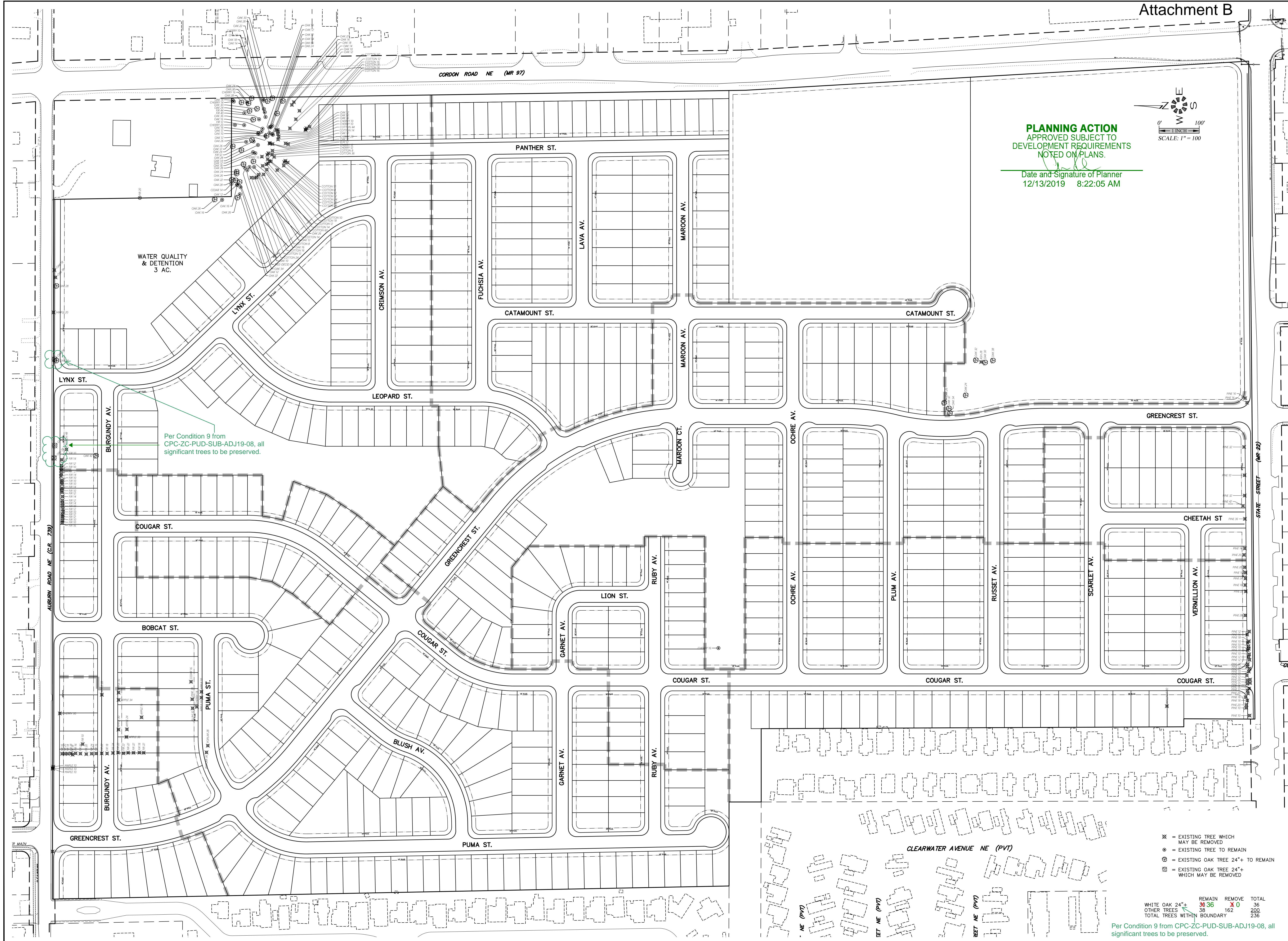
DIMENSIONS & NOTES TAKE
PRECEDENCE OVER
GRAPHICAL REPRESENTATION.

6437p	P500-TREE
Design:	M.D.G.
Drawn:	D.G.G.
Checked:	M.D.G.
Date:	NOV. 2018
Scale:	AS SHOWN



EXPIRES: 06-30-2019

P500



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