

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.: TCP19-14
AMANDA NO.: 19-111682-NR
DATE OF DECISION : December 3, 2019
PROPERTY LOCATION: 4700 Block Battle Creek Road
APPLICANT: Westwood Homes, LLC

REQUEST

A Tree Conservation Plan in conjunction with the Subdivision-Adjustment 19-08 and UGA17-03MOD1 (Case No. SUB-ADJ19-08 and UGA17-03MOD1) proposing the preservation of 47 tree, or 25.5 percent, out of a total of 137 trees on the property. The subject property is approximately 52.80 acres in size, zoned RS (Single Family Residential). The subject properties are approximately 68.14 acres (52.80 acres for subdivision), zoned RA (Residential Agriculture), and located on the 4700 Block of Battle Creek Road SE (Marion County Assessor Map and Tax Lot Numbers 083W12B / 1600, 083W12C / 700 and 083W11D /100, 200, 400, 500, 601, 602).

FINDINGS

The subject properties are approximately 68.14 acres (52.80 acres for subdivision), zoned RA (Residential Agriculture), and located on the 4700 Block of Battle Creek Road SE (Marion County Assessor Map and Tax Lot Numbers 083W12B / 1600, 083W12C / 700 and 083W11D /100, 200, 400, 500, 601, 602) and subject to a subdivision application (Case No. SUB-ADJ19-08 & UGA17-03MOD1).

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 seven significant oak trees located on the subject property proposed to be removed.

There are no heritage 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 is ten significant trees located on the subject property and seven are proposed for removal.

Staff determined with the subdivision review, that the significant oak located on Lot 68 is not located within a building setback and can be preserved. In addition, two significant trees would be located within the future right-of-way and may be able to be preserved with the above alternative street standard to meander the sidewalk. A 32" significant oak tree near the new right of way of Strong Road, adjacent to Lot 3 shall be preserved as a future street tree and any future removal analyzed pursuant to SRC 86. The applicant is proposing to save a 24" significant oak tree adjacent to the proposed park. Oregon White Oak trees are more likely to survive when clustered with others, therefore, staff finds that the two oak trees (32" significant oak and 10" oak) adjacent to the proposed preserved tree may should be preserved. The three trees adjacent to the proposed park, along Reed Road shall be considered future street trees and any future removal shall be analyzed pursuant to SRC 86. The conditions placed on the property under SUB-ADJ19-08 is as follows;

Condition - Prior to issuance of public construction permits, a tree preservation and protection plan pursuant to SRC Chapter 86 and Salem Administrative Rule 109-500, and signed by a certified arborist, shall be submitted for the identified preserved "Future Street Trees" (32" Oak, 10" Oak and 24" Oak along Reed Road & 32" Oak along Strong), to the City for review. Future Street Trees, identified above, shall be preserved. Any proposed removal of identified Future Street Trees (listed above) would require a separate removal permit pursuant to SRC 86.090.

The subdivision decision (SUB-ADJ19-08) did approve an alternative street standard to preserve existing and future street trees along Reed Road and Strong Road. Any future removal of those street trees will be reviewed pursuant to SRC 86. The conditions placed on the property under SUB-ADJ19-08 is as follows;

Condition - Prior to issuance of public construction permits, a tree preservation and protection plan pursuant to SRC Chapter 86 and Salem Administrative Rule 109-500, and signed by a certified arborist, shall be submitted for the identified preserved "Future Street Trees" (32" Oak, 10" Oak and 24" Oak along Reed Road & 32" Oak along Strong), to the City for review. Future Street Trees, identified above, shall be preserved. Any proposed removal of identified Future Street Trees (listed above) would require a separate removal permit pursuant to SRC 86.090.

Condition – The significant oak located on Lot 68 and the two 40-inch Fir trees near Strong Road shall be preserved.

- (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 applicant submitted a Tree Conservation Plan in conjunction with the proposed subdivision identifying a total of 184 trees on the property, ten of which are significant oaks. The 184 total trees do not include any trees on lot 82, which is zoned PH (Public and Private Health Services) and is not subject to the requirements for a Tree Conservation Plan. There are no heritage trees or riparian corridor trees and vegetation located on the property.

The applicant is not proposing to remove any trees on Lot 82. The Tree Conservation Plan for the remainder of the subdivision identifies 47 trees (25.5%) for preservation and 137 trees (74.5%) for removal.

The subdivision decision added six trees to be preserved. The modified tree conservation plan preserves more than 25 percent of the existing trees on the property and designating four trees as future street trees, therefore exceeding the minimum 25 percent preservation requirement under SRC Chapter 808. In addition, though four of the ten existing significant oaks on the property are to be removed, their removal is necessary because of no reasonable design alternatives that would enable their preservation. The tree conservation plan is being reviewed

by staff and, if approved, will be binding on the lots until final occupancy is granted for the construction of dwelling units on the lots.

In addition to the trees located on the subject property, there are also trees located within the existing right-of-way along Battle Creek Road, Reed Road and Strong Road. Pursuant to the tree preservation ordinance (SRC Chapter 808), tree conservation plans are required to identify and preserve the minimum required number of trees on the property. Because there are trees located within the existing right-of-way's which are not located on the property, they are not subject to the provisions of SRC Chapter 808 and are not counted toward the total number of trees on the site. These trees are instead considered trees on City owned property and subject to the provisions of SRC Chapter 86. All boundary streets (Reed Road, Battle Creek Road and Strong Road) are approved for an alternative street standard to meander the sidewalk to accommodate for street trees to be preserved. To ensure that the street trees are reviewed under SRC 86, the Subdivision applied the following condition:

Condition - Trees proposed for removal that are located within the right-of-way abutting streets shall follow the procedures of SRC Chapter 86.

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.

Condition 3: The conditions of SUB-ADJ19-08 and MOD17-03MOD1 shall be complied with during all construction activities.

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.



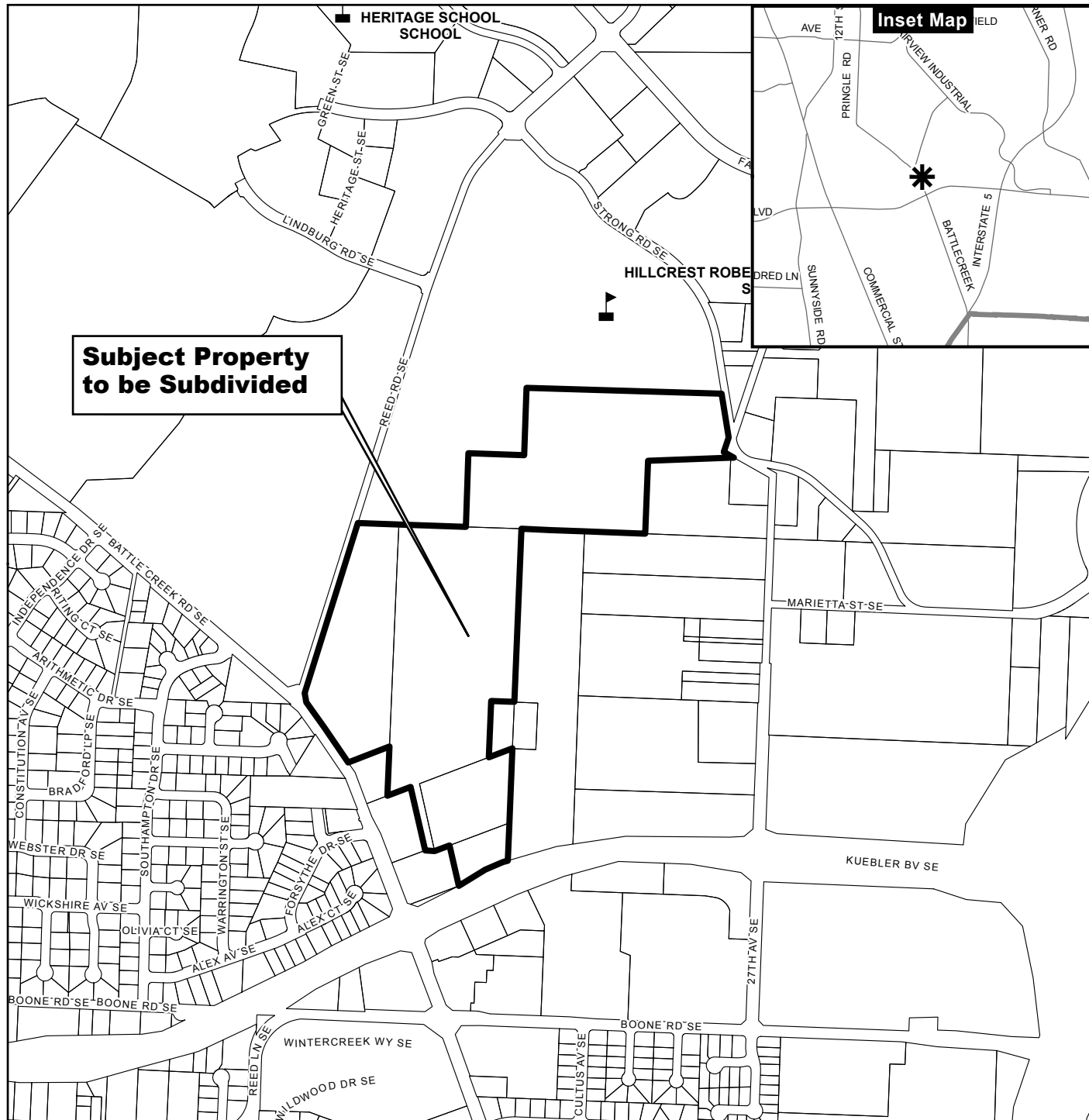
Planning Administrator Designee

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 **Tuesday, December 16, 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

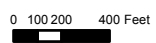
Vicinity Map 4700 Block Battle Creek Road SE



**Subject Property
to be Subdivided**

Legend

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

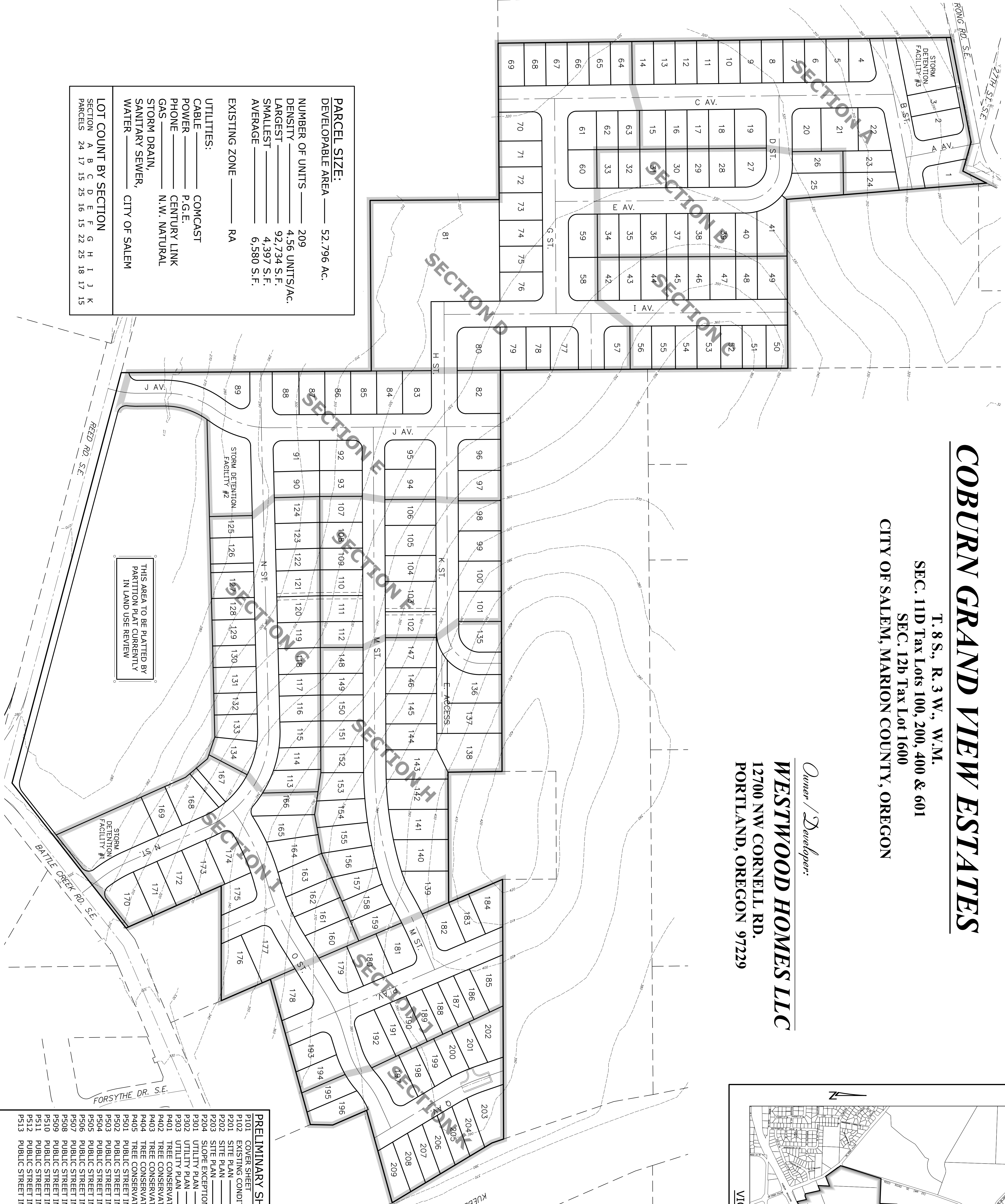
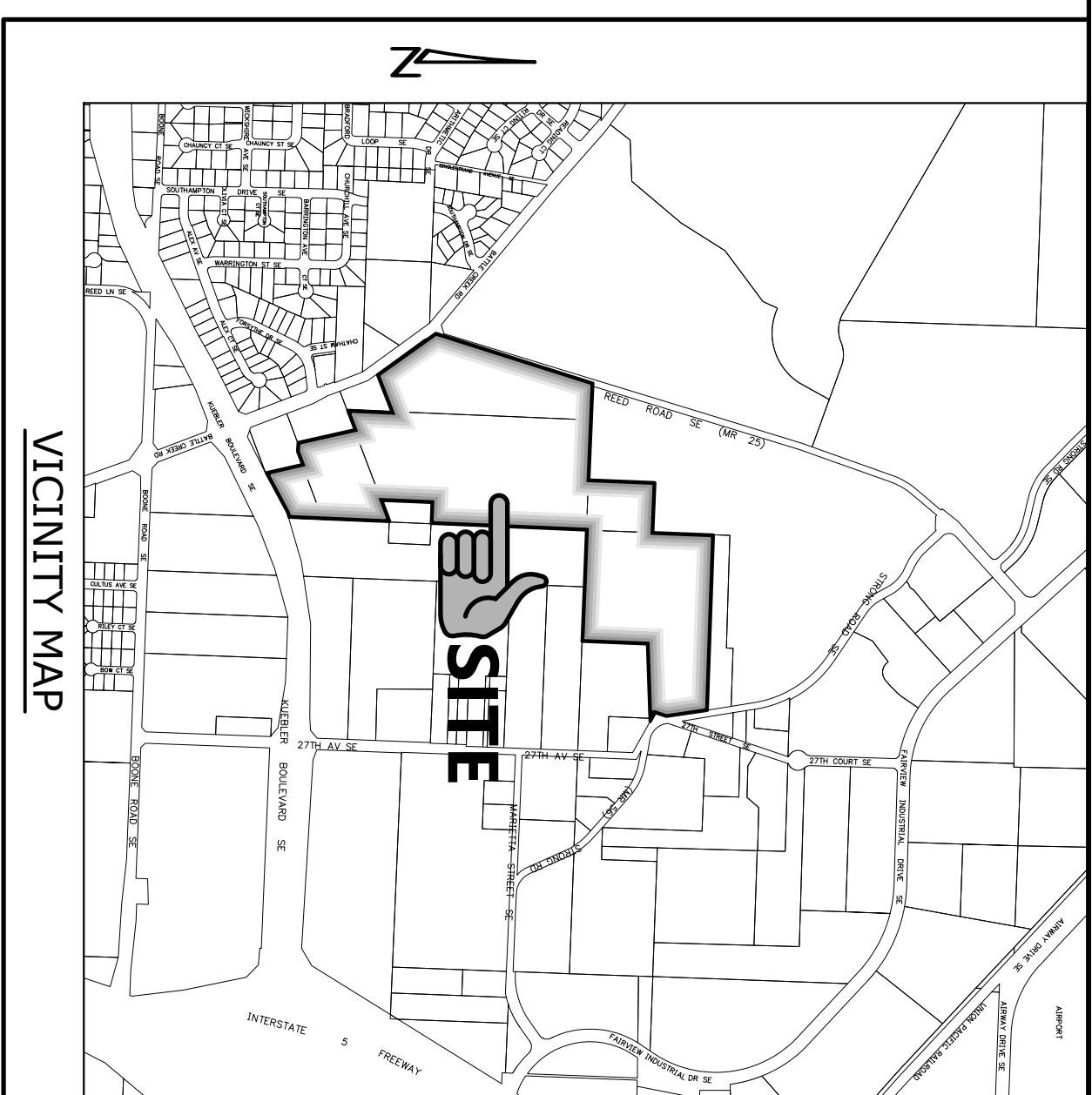


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COBURN GRAND VIEW ESTATES

T. 8 S., R. 3 W., W.M.
 SEC. 11D Tax Lots 100, 200, 400 & 601
 SEC. 12b Tax Lot 1600
 CITY OF SALEM, MARION COUNTY, OREGON

Owner / Developer:
WESTWOOD HOMES LLC
 12700 NW CORNELL RD.
 PORTLAND, OREGON 97229



PARCEL SIZE:
 DEVELOPABLE AREA — 52.796 AC.

NUMBER OF UNITS — 209

DENSITY — 4.56 UNITS/AC.
 LARGEST — 92,734 S.F.
 SMALLEST — 4,397 S.F.
 AVERAGE — 6,580 S.F.

EXISTING ZONE — RA

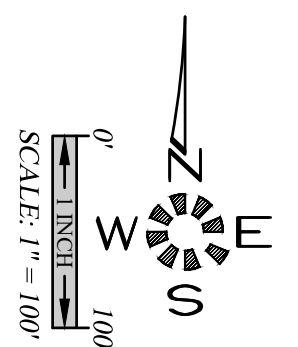
UTILITIES:

CABLE	COMCAST
POWER	P.G.E.
PHONE	CENTURY LINK
GAS	N.W. NATURAL
STORM DRAIN,	
SANITARY SEWER,	
WATER	CITY OF SALEM

LOT COUNT BY SECTION

SECTION A	B	C	D	E	F	G	H	I	J	K
PARCELS 24	17	15	23	16	15	22	23	18	17	15

THIS AREA TO BE PLATTED BY PARTITION PLAN CURRENTLY IN LAND USE REVIEW

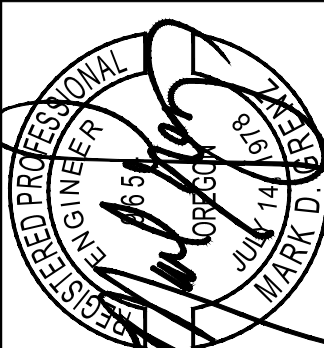


7. REVISED LOTS & STREETS.	P.H.S. 09/12/2019
6. REVISED LOTS, ADDED TREES	P.H.S. 08/29/2019
5. STREET WIDTHS & PEDESTRIAN EASEMENTS.	P.H.S. 08/14/2019
4. ADDED NEW STREETS & EASEMENTS.	P.H.S. 06/28/2019
3. UPDATED PER DRAINAGE REVISIONS.	P.H.S. 06/06/2019
2. ADDED PRESSURE REDUCING STATION.	P.H.S. 04/05/2019
1. REVISED PER CITY OF SALEM REVIEW.	P.H.S. 03/25/2019

PRELIMINARY SHEET INDEX

P101 COVER SHEET	
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P201 SITE PLAN	NORTH
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P203 SITE PLAN	SOUTH
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P301 UTILITY PLAN	NORTH
P302 UTILITY PLAN	CENTRAL
P303 UTILITY PLAN	SOUTH
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P402 TREE CONSERVATION PLAN	CENTRAL
P403 TREE CONSERVATION PLAN	SOUTH
P404 TREE CONSERVATION PLAN	R.O.W. NORTH
P405 TREE CONSERVATION PLAN	R.O.W. SOUTH
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P502 PUBLIC STREET IMPROVEMENTS — C ST.	
P503 PUBLIC STREET IMPROVEMENTS — E AV. & D ST.	
P504 PUBLIC STREET IMPROVEMENTS — G ST.	
P505 PUBLIC STREET IMPROVEMENTS — H ST. & I AV.	
P506 PUBLIC STREET IMPROVEMENTS — J AV.	
P507 PUBLIC STREET IMPROVEMENTS — K ST.	
P508 PUBLIC STREET IMPROVEMENTS — L ST. 0+00 TO 12+00	
P509 PUBLIC STREET IMPROVEMENTS — M ST.	
P510 PUBLIC STREET IMPROVEMENTS — N ST.	
P511 PUBLIC STREET IMPROVEMENTS — P AV. & L ST. 12+00 TO 17+50	
P512 PUBLIC STREET IMPROVEMENTS — Q AV.	
P513 PUBLIC STREET IMPROVEMENTS — Q AV.	

<p>P101</p>	<p>Design: M.D.G. Drawn: P.H.S. Checked: J.J.G. Date: JUNE 2018 Scale: AS SHOWN</p>	<p>NO CHANGES, MODIFICATIONS OR REPRODUCTIONS TO BE MADE TO THESE DRAWINGS WITHOUT WRITTEN AUTHORIZATION FROM THE DESIGN ENGINEER.</p> <p>DIMENSIONS & NOTES TAKE PRECEDENCE OVER GRAPHICAL REPRESENTATION.</p>	<p>COBURN GRAND VIEW ESTATES</p>	<p>COVER SHEET</p>	<p>MULTI/TECH ENGINEERING SERVICES, INC. 1155 13th ST. S.E. SALEM, OR, 97302 PH. (503) 363 - 9227 FAX (503) 364-1260 www.mtengineering.net office@mtengineering.net</p>
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As-Built: _____
 Scale: AS SHOWN
 Date: JUNE 2018
 Checked: J.J.G.
 Drawn: P.H.S.
 Design: M.D.G.

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NOT FOR CONSTRUCTION UNLESS STAMPED APPROVED HERE

COBURN GRAND VIEW ESTATES

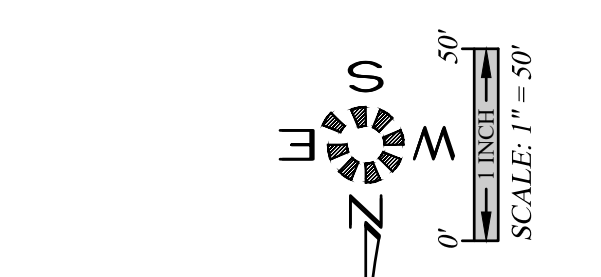
TREE CONSERVATION PLAN - CENTRAL

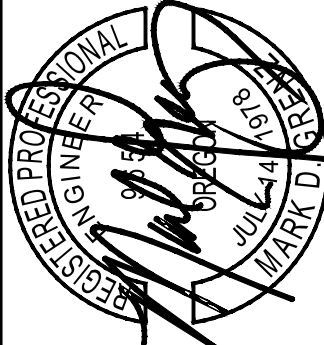
ENGINEERING SERVICES, INC.
 1155 13th ST. S.E. SALEM, OR. 97302
 PH. (503) 363-9227 FAX (503) 364-1260
 www.mtengineering.net office@mtengineering.net



TREE LEGEND
 100% 184 TOTAL TREES WITHIN SUBDIVISION BOUNDARY (EXCLUDING LOT 82)
 26% 47 MINIMUM TREES TO REMAIN
 * = EXISTING TREE WHICH MAY BE REMOVED
 ○ = EXISTING TREE TO REMAIN
 ⊗ = EXISTING OAK TREE 24" OR GREATER TO REMAIN
 ⊗ = EXISTING OAK TREE 24" OR GREATER WHICH MAY BE REMOVED

1. REVISED PER CITY OF SALEM REVIEW.
2. REVISED PER CITY OF SALEM REVIEW.
3. UPATED PER DRAINAGE REVISIONS.
4. ADDED NEW STREETS & EX. EASEMENTS.
5. STREET WIDTHS & PEDESTRIAN EASEMENTS.
6. REVISED LOTS, ADDED TREES.





Design: M.D.G.
 Drawn: P.H.S.
 Checked: J.J.G.
 Date: JUNE 2018
 Scale: AS SHOWN
 As-Built: -----

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COBURN GRAND VIEW ESTATES

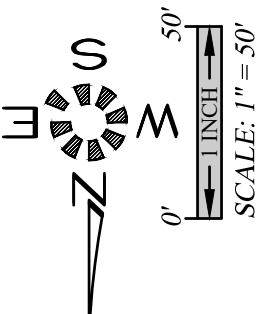
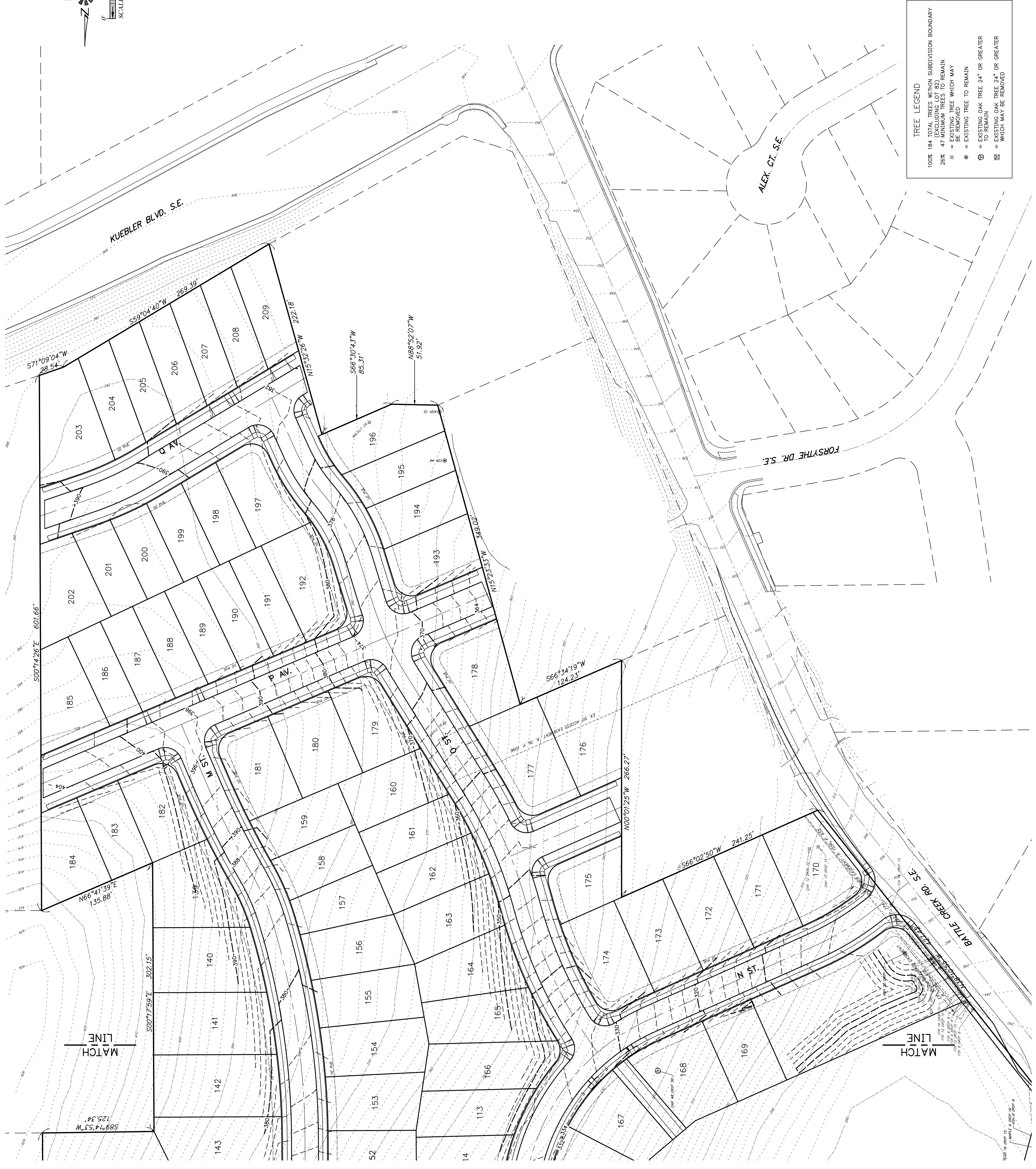
TREE CONSERVATION PLAN - SOUTH

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 PH: (503) 363-9227 FAX (503) 364-1260
 www.mdtengineering.net office@mdtengineering.net

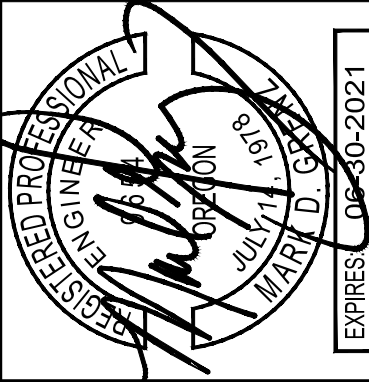
PH.S	08/29/2019	REVISED LOTS, ADDED TREES
PH.S	08/14/2019	STREET WIDTHS & PEDESTRIAN EASEMENTS
PH.S	06/28/2019	ADDED NEW STREETS & EASEMENTS
PH.S	06/06/2019	UPDATED PER DRAINAGE REVISIONS
PH.S	03/23/2019	REVISED PER CITY OF SALEM REVISION

TREE LEGEND

100% 184 TOTAL TREES WITHIN SUBDIVISION BOUNDARY
 26% 47 UNKNOWN TREES TO REMAIN
 * = EXISTING TREE WHICH MAY BE REMOVED
 ⊙ = EXISTING TREE TO REMAIN
 ⊗ = EXISTING OAK TREE 24" OR GREATER TO REMAIN
 ⊛ = EXISTING OAK TREE 24" OR GREATER WHICH MAY BE REMOVED



DATE: 08/29/2019 11:25:14 AM Roundtree



As-Built: _____
 Scale: AS SHOWN
 Date: JUNE 2018
 Checked: J.J.G.
 Drawn: P.H.S.
 Design: M.D.G.

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COBURN GRAND VIEW ESTATES

TREE CONSERVATION PLAN - NORTH

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 www.mtengineering.net office@mtengineering.net

MULTI/TECH

1. REVISED LOTS, ADDED TREES
2. P.H.S. 08/29/2019
3. STREET WIDTHS & PEDESTRIAN EASEMENTS
4. P.H.S. 08/14/2019
5. ADDED NEW STREETS & EX. EASEMENTS
6. P.H.S. 06/28/2019
7. UPDATED PER DRAINAGE REVISIONS
8. P.H.S. 06/06/2019
9. REVISED PER CITY OF SALEM REVIEW
10. P.H.S. 03/25/2019

TREE LEGEND

100% 184 TOTAL TREES WITHIN SUBDIVISION BOUNDARY
 47 MINIMUM TREES TO REMAIN
 26% EXISTING TREES WHICH MAY BE REMOVED
 EXISTING TREE TO REMAIN
 EXISTING OAK TREE 24" OR GREATER TO REMAIN
 EXISTING OAK TREE 24" OR GREATER WHICH MAY BE REMOVED

