

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 información, por favor llame
503-588-6173*

DECISION OF THE PLANNING ADMINISTRATOR

TREE CONSERVATION PLAN: TCP22-08

APPLICATION NO.: 22-120795-PLN

NOTICE OF DECISION DATE: December 16, 2022

REQUEST: A Tree Conservation Plan in conjunction with a tentative partition Case No. PAR22-07) proposing the removal of 5 trees and the preservation of 12 trees, or 70.5 percent, out of a total of 17 trees on the property. The subject property is approximately 1.2 acres in size, zoned RS (Single Family Residential), and located at 2828 Doaks Ferry Rd NW (Polk County Assessor's Map and Tax Lot number 073W08DA / 7000).

APPLICANT: Matthew & Crystal Perry

LOCATION: 2828 Doaks Ferry Rd NW

CRITERIA: Salem Revised Code (SRC) Chapter 808.035.

FINDINGS: The findings are in the attached Decision dated December 16, 2022.

DECISION: The **Planning Administrator APPROVED** TCP22-08 subject to the following conditions of approval:

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, Two-Family, Three-Family, or Four-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 division 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.

Approval of a Tree Conservation Plan application does not expire.

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

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 *(15 days from mailing)* **Tuesday, January 3, 2023 by 5:00 p.m.** The 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 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.

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

BEFORE THE PLANNING ADMINISTRATOR OF THE CITY OF SALEM

DECISION

IN THE MATTER OF APPROVAL OF
TREE CONSERVATION PLAN
CASE NO. TCP22-08
2828 DOAKS FERRY RD NW

) FACTS & FINDINGS

)

)

) DECEMBER 16, 2022

In the matter of the application for a Tree Conservation Plan, 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 Conservation Plan in conjunction with a tentative partition Case No. PAR22-07) proposing the removal of 5 trees and the preservation of 12 trees, or 70.5 percent, out of a total of 17 trees on the property. The subject property is approximately 1.2 acres in size, zoned RS (Single Family Residential), and located at 2828 Doaks Ferry Rd NW (Polk County Assessor's Map and Tax Lot number 073W08DA / 7000). See vicinity map (**Attachment A**).

PROCEDURAL FINDINGS

1. On October 14, 2022, an application for a Tree Conservation Plan was submitted for property located at 2828 Doaks Ferry Rd NW.
2. The Tree Conservation Plan (**Attachment B**) was submitted in conjunction with a tentative partition application for the subject property (Case No. PAR22-07).

SUBSTANTIVE FINDINGS

1. Proposal

The tree conservation plan identifies a total of 17 trees above 10 inches diameter-at-breast-height (dbh) on the property, with 12 trees identified for preservation and 5 proposed for removal (**Attachment B**). There are no heritage trees, significant trees, or riparian corridor trees or vegetation located on the property.

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 or two family uses, if the development proposal will result in the removal of trees.

3. Analysis of Tree Conservation Plan Approval Criteria:

The approval criteria for a Tree Conservation Plan are found in SRC 808.035(d).

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, the preservation requirements of SRC 808.035(d)(1) are not applicable to the tree conservation plan.

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: 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.

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: There are no riparian areas located on the subject property, therefore no riparian trees or vegetation are proposed for removal. The tree conservation plan complies with the requirements of SRC 808.035(d)(3).

SRC 808.035(d)(1)(D): 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 17 trees on the property, with 5 trees for designated for removal and 12 trees to be preserved for a preservation rate of approximately 70.5 percent.

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

4. 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
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
Greater than 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.

IT IS HEREBY ORDERED

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.



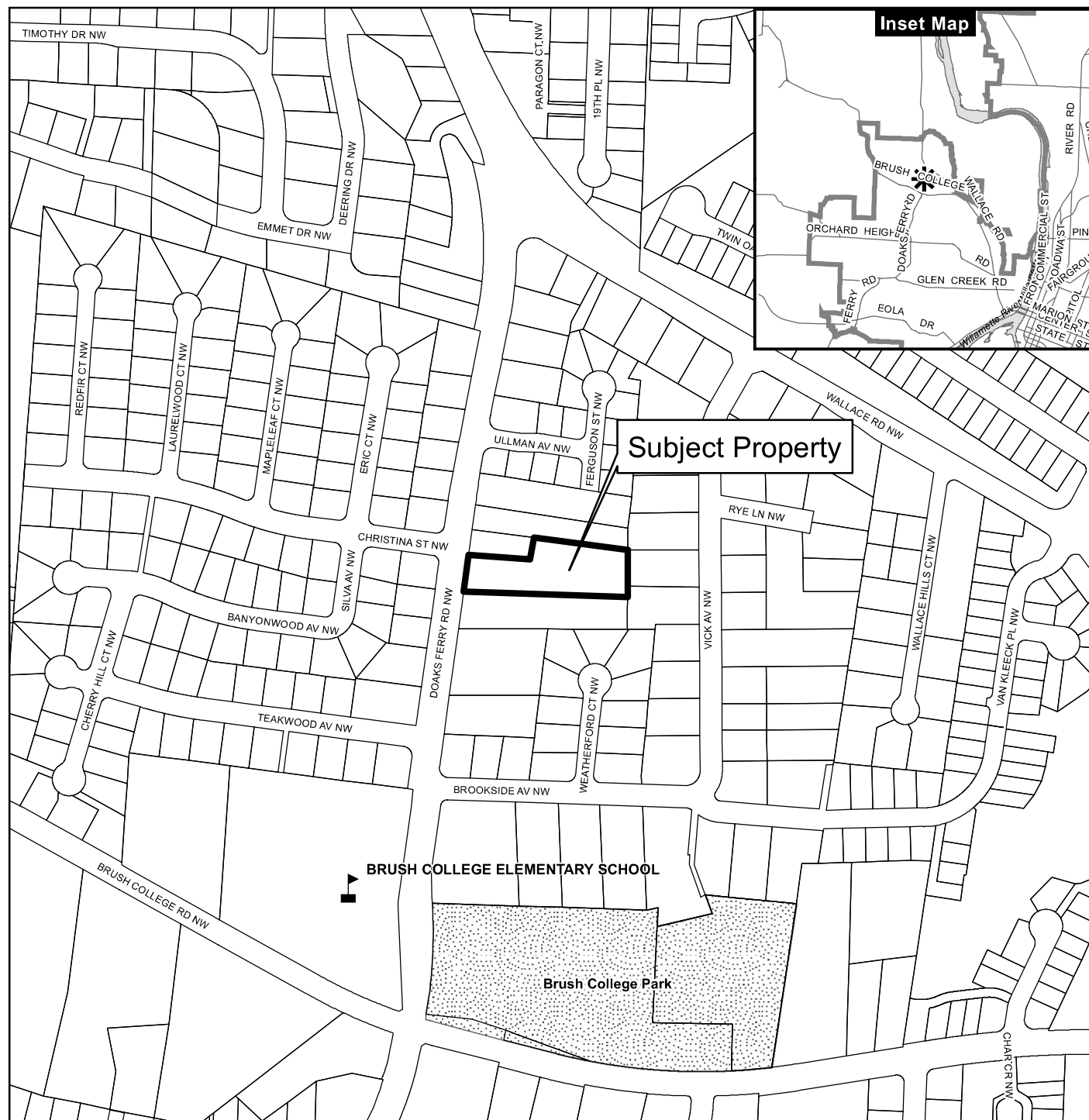
Peter Domine, Planner I, on behalf of,
Lisa Anderson-Ogilvie, AICP
Planning Administrator

Attachments:

- A. Vicinity Map
- B. Approved Tree Conservation Plan

Vicinity Map

2828 Doaks Ferry Rd NW



Legend

Taxlots

Urban Growth Boundary

City Limits

Outside Salem City Limits

Historic District

Schools

Parks

CITY OF Salem
AT YOUR SERVICE
Community Development Dept.

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0 100 200 400 Feet



Exhibit 1

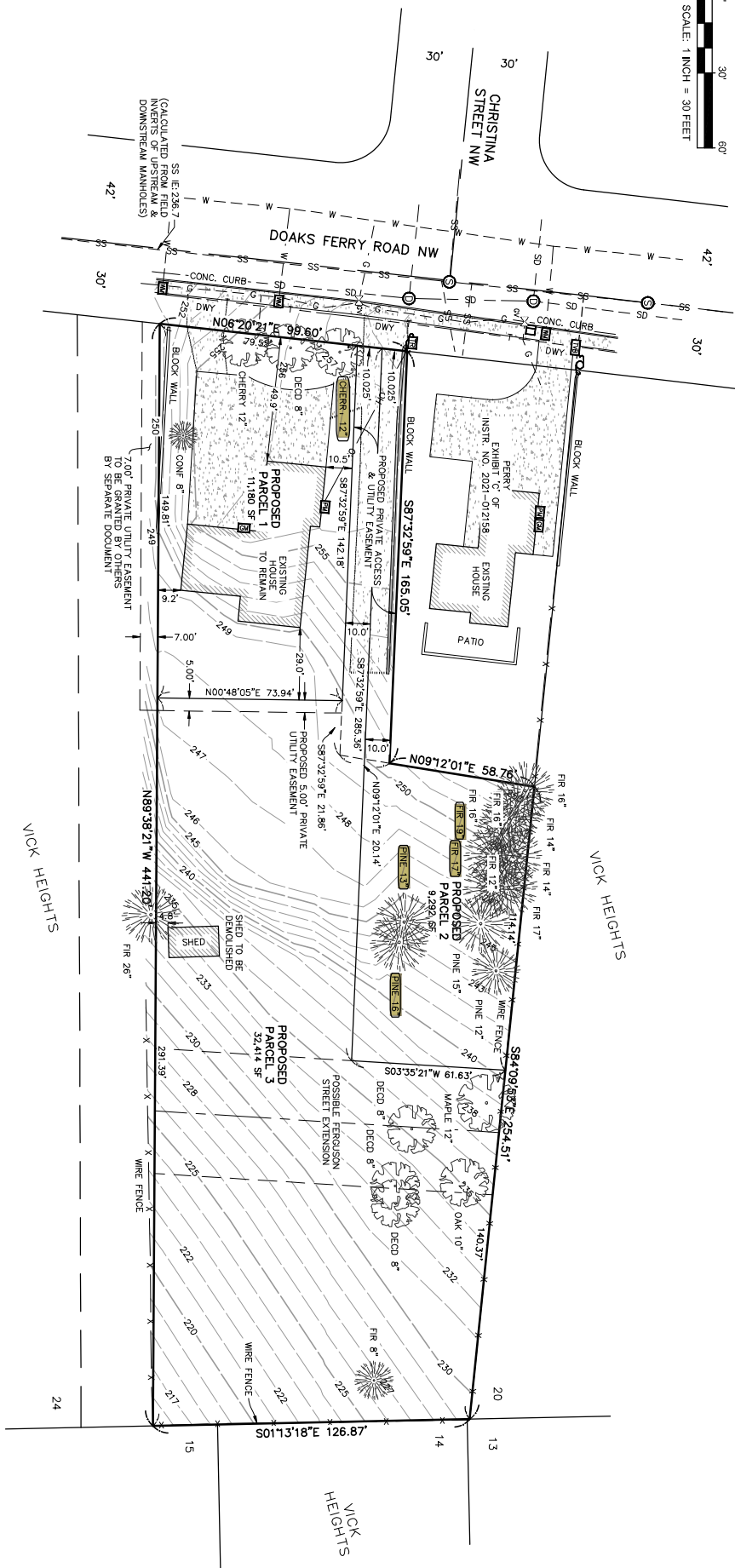
PARTITION TENTATIVE PLAN
Matthew & Crystal Perry
PO Box 5654 Salem, OR 97302
Forty Five North Surveying, LLC
7230 3rd St. SE, Turner, OR 97392

EXISTING & PROPOSED CONDITIONS

IN THE SE 1/4 OF SECTION 8, T.7S., R.3W., W.M.
CITY OF SALEM, POLK COUNTY, OREGON
DATE: SEPTEMBER 19, 2022



0' 30' 60'
SCALE: 1 INCH = 30 FEET



- LEGEND**
- STORM DRAIN MANHOLE
 - CURB INLET
 - SANITARY SEWER MANHOLE
 - WATER METER
 - POWER METER
 - UTILITY POLE
 - COMMUNICATION RISER
 - COMMUNICATION BOX
 - GAS VALVE
 - GAS METER
 - CONCRETE
 - GRAVEL
 - SEWER LINE UNDERGROUND
 - STORM LINE UNDERGROUND
 - WATERLINE UNDERGROUND
 - GAS LINE UNDERGROUND
 - COMMUNICATION LINE UNDERGROUND
 - OVERHEAD POWER LINE
 - FENCE LINE
 - CONCRETE DRIVEWAY
 - DWY
 - INSTR. NO.
 - SF

- NOTES**
- 1) BASIS OF BEARINGS IS THE OREGON COORDINATE REFERENCE SYSTEM "SALEM ZONE".
 - 2) ELEVATIONS SHOWN ARE NAVD83 DATUM DERIVED FROM GPS OBSERVATIONS.

SURVEYED FOR: MATTHEW PERRY



FORTY FIVE NORTH
SURVEYING, LLC

7230 3rd Street SE #145, Turner, OR 97392
P: (503) 558-3330 E: info@ffsurveying.com

JOB NO. 21-246

SHEET 1/1

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
SEPTEMBER 12, 2021
STEVEN LEE HOWELL
91569

RENEW: 6-30-2023