

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*

DECISION OF THE PLANNING ADMINISTRATOR

TREE REMOVAL PERMIT: TRP23-30

APPLICATION NO.: 23-117285-PLN

NOTICE OF DECISION DATE: August 31, 2023

REQUEST: A request to remove one 40-inch diameter at breast height (DBH) maple tree within a required landscape area on the basis that it presents a hazard to people and property. The subject is zoned IC (Industrial Commercial) and located at 1140 Boone Road SE (Marion County Assessor's Map and Tax Lot number 083W15AA0/ 800/ 0801/ 0700/ 0600/ 0400).

APPLICANT: R & R Tree Service, Inc.

LOCATION: 1140 Boone Road SE

CRITERIA: Salem Revised Code (SRC) Chapter 808.030.

FINDINGS: The findings are in the attached Decision dated August 31, 2023.

DECISION: The **Planning Administrator APPROVED** TRP23-30 based upon the application materials and the findings as presented in this report.

Approval of a Tree Removal permit application does not expire.

This decision is final; there is no local appeal process. Any person with standing may appeal this decision by filing a "Notice of Intent to Appeal" with the Land Use Board of Appeals, 775 Summer St NE, Suite 330, Salem OR 97301-1283, not later than 21 days after the decision date. Anyone with questions regarding filing an appeal with the Oregon Land Use Board of Appeals should contact an attorney.

The following items are submitted to the record: 1) All materials and evidence submitted by the applicant, including any applicable professional studies; and 2) All materials, evidence, and comments from City Departments and public agencies. The application materials are available on the City's online Permit Application Center at <https://permits.cityofsalem.net>. You may use the search function without registering and enter the permit number listed here: 23 112449.

Case Manager: Jacob Brown, Planner I, JRBrown@cityofsalem.net, 503-540-2347

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

BEFORE THE PLANNING ADMINISTRATOR OF THE CITY OF SALEM

DECISION

IN THE MATTER OF APPROVAL OF
TREE REMOVAL PERMIT
CASE NO. TRP23-30
1140 BOONE ROAD SE

) FINDINGS & ORDER
)
)
) AUGUST 31, 2023

In the matter of the application for a Tree Removal Permit, 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 request to remove one 40-inch diameter at breast height (DBH) maple tree within a required landscape area on the basis that it presents a hazard to people and property. The subject is zoned IC (Industrial Commercial) and located at 1140 Boone Road SE (Marion County Assessor's Map and Tax Lot number 083W15AA0/ 800/ 0801/ 0700/ 0600/ 0400). A location map identifying the subject property is included as **Attachment A**.

PROCEDURAL FINDINGS

1. On August 24, 2023, an application for a Tree Removal Permit was submitted for property located at 1140 Boone Road SE.
2. After additional requested information was provided by the applicant, the application was deemed complete on August 30, 2023.

SUBSTANTIVE FINDINGS

1. Proposal

The has applicant is requesting to remove a 40-inch DBH maple tree within a required landscaped area on the basis that it is a hazard to property and people.

2. Applicability

SRC 808.015 Significant trees. No person shall remove a significant tree, unless the removal is undertaken pursuant to a tree and vegetation removal permit issued under SRC 808.030, undertaken pursuant to a tree conservation plan approved under SRC 808.035, or undertaken pursuant to a tree variance granted under SRC 808.045.

DECISION CRITERIA FINDINGS

3. Analysis of Tree Removal Permit Approval Criteria:

SRC 808.030(d)(1) Hazardous tree. The condition or location of the tree presents a hazard or danger to persons or property; and the hazard or danger cannot reasonably be

alleviated by treatment or pruning, or the tree has a disease of a nature that even with reasonable treatment or pruning is likely to spread to adjacent trees and cause such trees to become hazardous trees.

Finding: The applicant provided a written statement and photos addressing the condition of the tree, are included as **Attachment B**.

According to the written statement and photos submitted by the licensed arborist, the tree proposed for removal recently had a significant portion of the canopy cut by the utility company resulting in a sizable cavity forming at the base of the tree and stress causing a decline in the overall health. There are signs of detaching bark above a codominant union and a separate branch leaning towards the storage area with declining and dead top. The risk of the tree falling on the storage area constitutes a hazard to persons or property. Furthermore, as the extent of the cavity and prior cutting has already caused serious impact upon the tree's stability, there is no reasonable treatment to preserve the tree in its entirety. Per the arborist's recommendation, the entirety of tree shall be removed.

As the tree is located with a required landscaped setback for a vehicle use area, SRC 807.015 (d) (1) requires that, when a tree is proposed for removal within a required landscaped area, two trees shall be planted for each tree removed. In addition, the trees replanted shall be of either a shade or evergreen variety with a minimum 1.5-inch caliper. Following the maple's removal, the applicant has indicated that they shall plant two Weeping Alaskan Cedars with a minimum size of 1.5-inch caliper by January 1st, 2024. As the proposed trees are an evergreen variety and shall be 1.5-inch caliper at planting, this standard is met.

Staff finds that the Tree Removal Permit application for the removal of one hazardous significant tree is consistent with the provisions of SRC Chapter 808 and the applicable approval criteria.

IT IS HEREBY ORDERED

The proposed Tree Removal Permit is consistent with the provisions of SRC Chapter 808 and is hereby **APPROVED**.



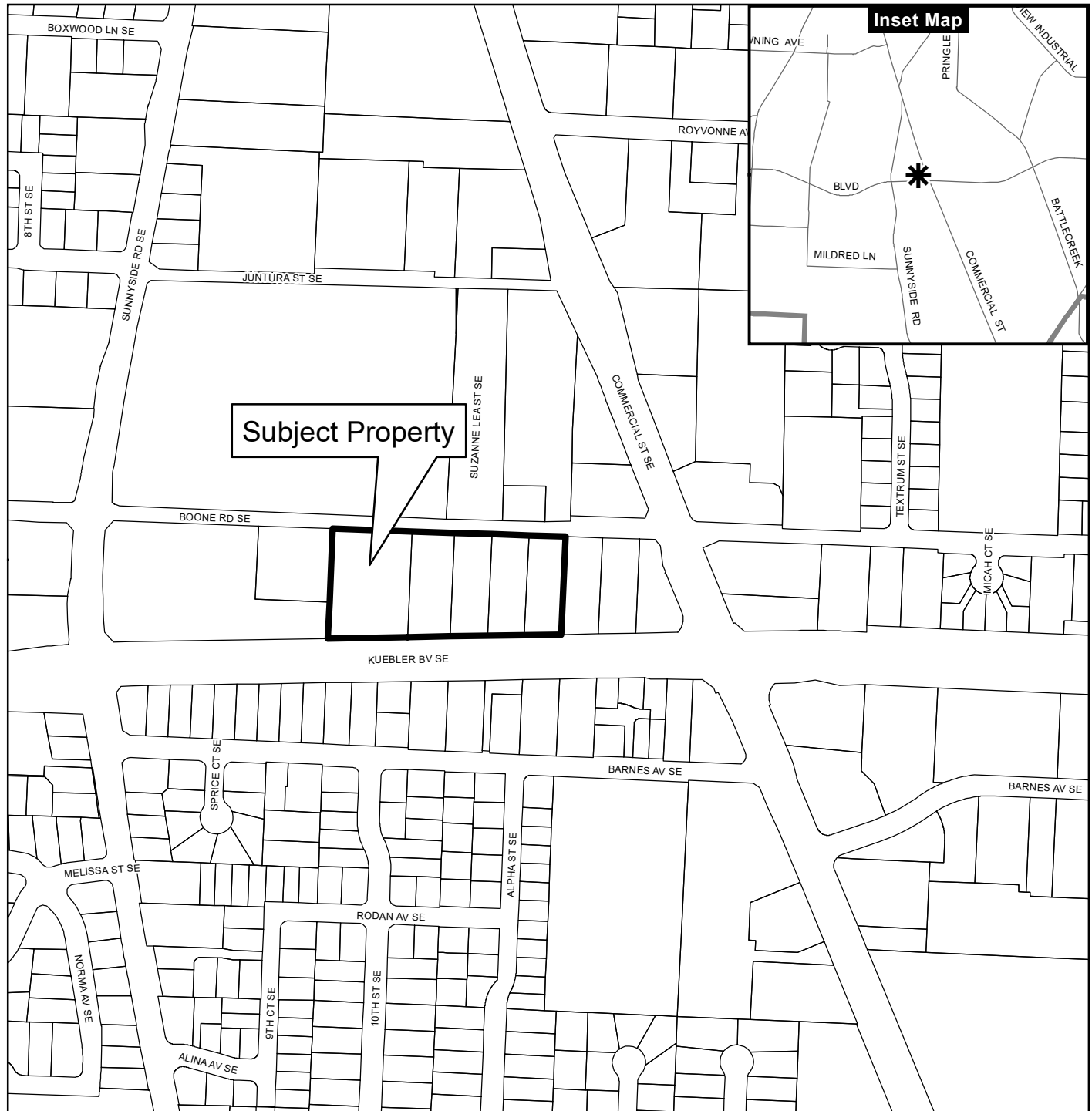
Jacob Brown, Planner I, on behalf of,
Lisa Anderson-Ogilvie, AICP
Planning Administrator

Attachments:

- A. Vicinity Map
- B. Arborist Written Statement and Photos

Vicinity Map

1140 Boone Road SE



Legend

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

- Parks

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Community Development Dept.

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0 100 200 400 Feet





ARBORIST REPORT

Located at: 1140 Boone Rd SE, Salem (D & O Garbage location)

Prepared for: D & O Garbage Service, Inc.

By: Tim Jones, ISA Certified Arborist #PN-6819-A / TRAQ Certified

Evaluation performed: August 8, 2023

DESCRIPTION

Hazardous Tree Removal pursuant to SRC 808.030(d)(1).

Our company was contacted by D & O Garbage, with concerns regarding the hazardous condition of a maple tree located on the property just adjacent to Boone Rd SE, on the NW corner of the parking lot, which is a drive-up area where consumers can drop off recyclables. *(Tree location is circled in red on following page)*

The tree measures at approximately 40" in diameter and requires a permit from the city of Salem to remove.

The maple tree has been significantly cut by the utility company, there is a cavity on the north side of the tree just below the co-dominant attachment, detaching bark, conk on the root crown and significant dead limbs in the top of the tree. *(Pictures included in this letter)*

In my opinion, the removal is necessary due to the hazardous condition and location of the tree, which present both a hazard and danger to persons and property. These hazards cannot be alleviated by treatment or pruning.

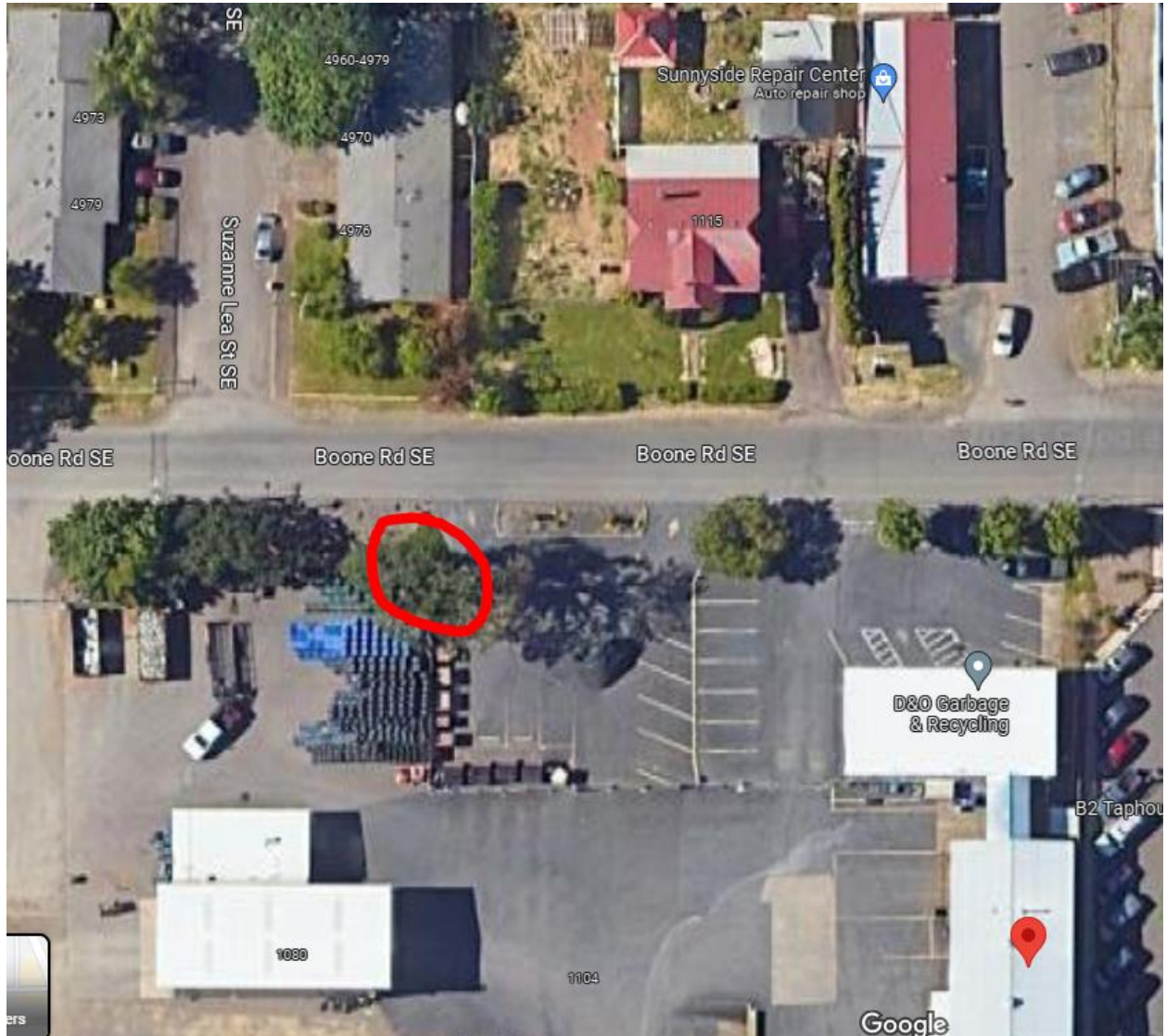
I recommend removal of the tree for safety.

LANDSCAPED SETBACK REQUIREMENT

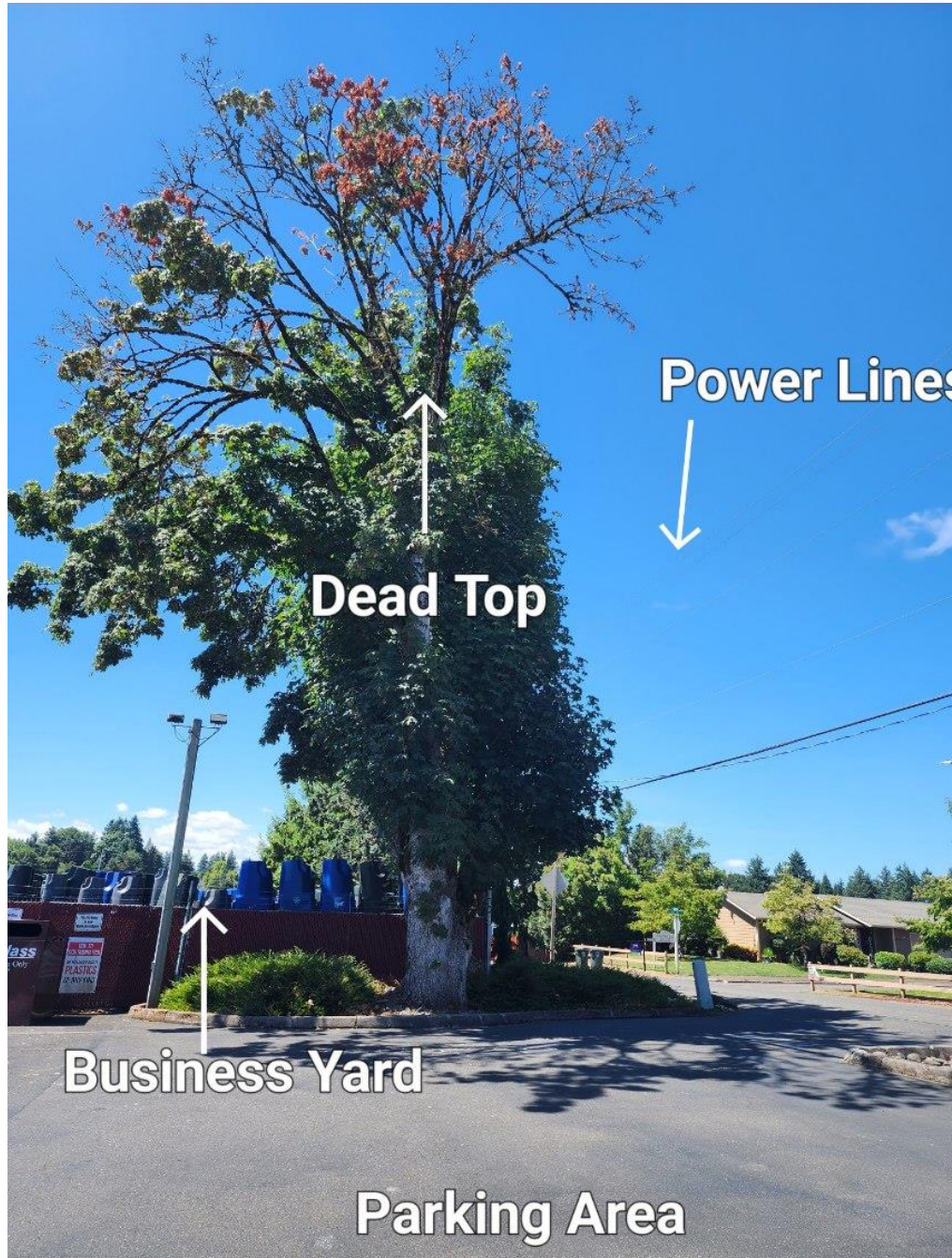
Because the proposed tree is located within a required landscaped setback, SRC 807-015(d)(1), the property owners will be replanting two 1.5" caliper Alaska weeping cedar trees in place of the removed tree. The new trees will be planted the same area as the tree to be removed.



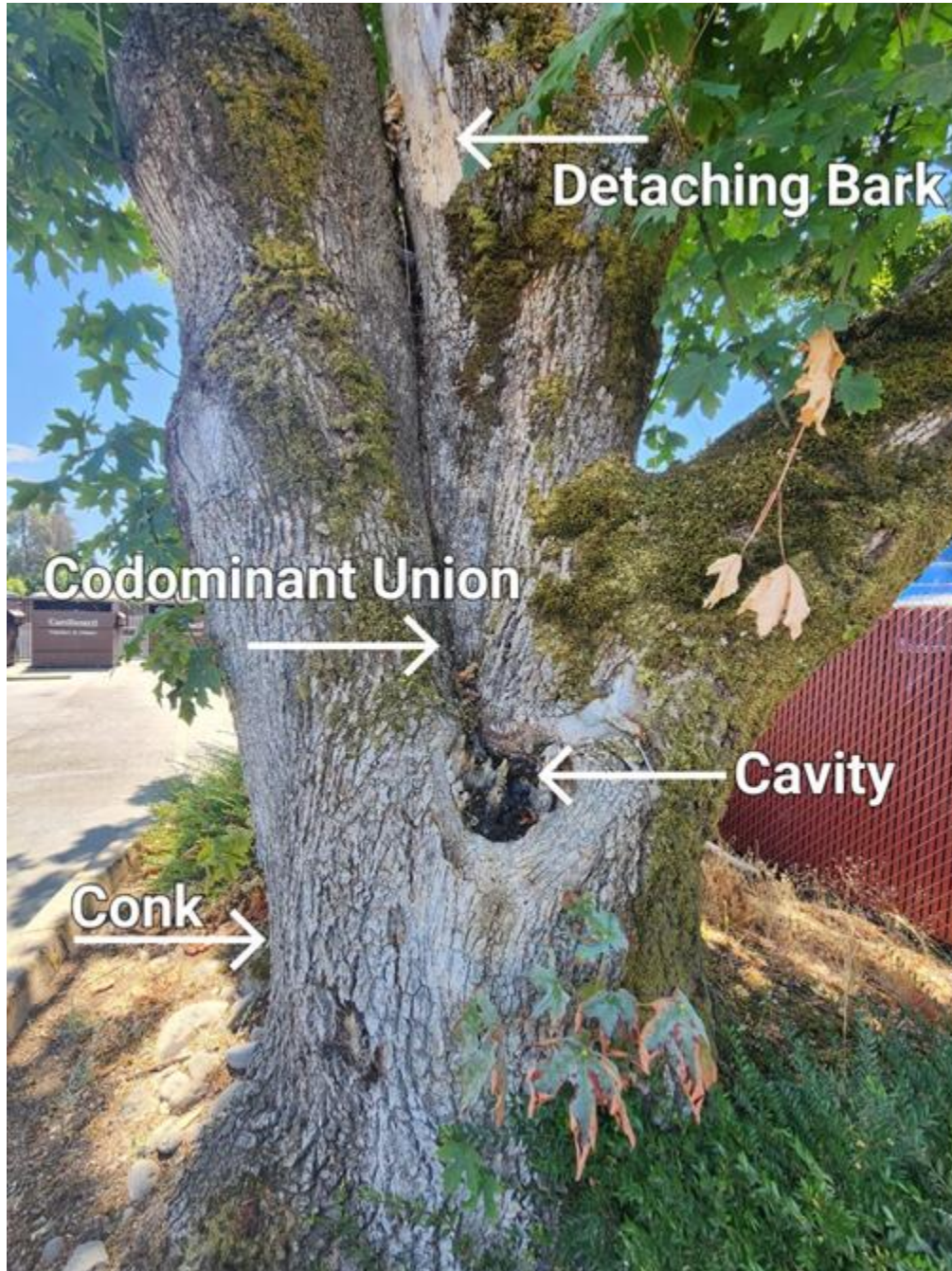
LOCATION – Overview



PICTURE 1
Taken 08/08/2023



PICTURE 2
Taken 08/08/2023



PICTURE 3
Taken 08/08/2023

